

6-17-2016

Board of Directors Open Meeting - Packet 06/17/ 2016

UC Hastings Board of Directors

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HASTINGS
COLLEGE
OF THE LAW

**Open Meeting
Board of Directors**

June 17, 2016



NOTICE OF MEETING

EVENT: Meeting of the University of California
Hastings College of the Law Board of Directors

DATE: Friday, June 17, 2016

PLACE: UC Hastings College of the Law
Alumni Reception Center
200 McAllister Street, 2nd Floor
San Francisco, CA 94102

STARTING TIME: 9:00 a.m.

AGENDA: See Attached

This notice is available at the following University of California, Hastings College of the Law website address: <http://www.uchastings.edu/board>

For further information please contact Elise Traynum, Secretary of the Board of Directors, 198 McAllister Street, San Francisco, CA 94102, (415) 565-4851. You are encouraged to inform Ms. Traynum of your intent to speak during the public comment period 72 hours in advance of the meeting.

The University of California, Hastings College of the Law subscribes to the Americans with Disabilities Act. Please contact the Secretary's Office by 10 a.m. on Monday, June 13, 2016, for accommodations.



**UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW**

BOARD OF DIRECTORS

OPEN SESSION AGENDA

June 17, 2016 - 9:00 a.m.

UC Hastings College of the Law
200 McAllister Street
Alumni Reception Center, 2nd Floor
San Francisco, California 94102

1. ROLL CALL

Chair Thomas Gede
Vice Chair Chip Robertson
Director Simona Agnolucci
Director Donald Bradley
Director Tina Combs
Director Marci Dragan
Director Claes Lewenhaupt
Director Mary Noel Pepys
Director Courtney Power
Director Sandra Thompson

2. PUBLIC COMMENT PERIOD (Oral)

3. REPORT OF ASUCH PRESIDENT
Incoming ASUCH President Sammy Chang 2L (Written)

***4. GENERAL CONSENT CALENDAR**
The following items are presented as the Consent Calendar. Anyone wishing to remove any item from the Consent Calendar for discussion and/or consideration may request that the Chair remove the item from the Consent Calendar. All remaining Consent Calendar items shall be approved by the Board of Directors in a single vote without discussion.

***4.1 Approval of Minutes: March 4, 2016** (Written)

5. REPORT OF THE CHAIR OF THE EDUCATIONAL POLICY COMMITTEE

- 5.1 Graduate Employment & Career Update by Assistant Dean Sari Zimmerman (Written)
- 5.2 Other Informational Items, Including Academic Programs and Student Services (Oral)

6. REPORT OF THE CHAIR OF THE ADVANCEMENT & COMMUNICATIONS COMMITTEE

- 6.1 External Relations Updates:
 - 6.1.1 Media Relations: Highlights from 2015-16; Goals for 2016-17 (Oral)
 - 6.1.2 Peer Reputation: Promoting UC Hastings to Peer Institutions (Oral)
 - 6.1.3 Neighborhood Relations: UC Hastings Community Partnership (Oral)
 - 6.1.4 Advertising: Presentation of Strategy + Creative Brief & Concepts Being Applied to Street Pole Banner Campaign, Clothes, Etc. (Oral)
 - 6.1.5 Introduction of New Assistant Director of External Relations (Oral)
- 6.2 Fundraising Status: 333 Golden Gate Avenue (Oral)
- 6.3 Alumni Center Staffing Update (Oral)
- 6.4 FY 2015-2016 Development Reports:
 - 6.4.1 Fundraising Comparison Raised Report (Written)
 - 6.4.2 Fundraising Comparison Received Report (Written)

***7. FINANCE COMMITTEE CONSENT CALENDAR**

The meeting of the Finance Committee was held at UC Hastings in the A. Frank Bray Conference Room, San Francisco, California, on Thursday, May 12, 2016, at 9:00 a.m. By unanimous vote, the Finance Committee submits the following Consent Calendar. Anyone wishing to pull any item from the Finance Consent Calendar may request the Chair to remove the item from the Finance Consent Calendar for discussion. All items on the Finance Consent Calendar shall be approved by the Board of Directors in a single vote.

- 7.1 State Contracts in Excess of \$50,000
 - *7.1.1 Kane Hall – Façade Access Construction (Written)
 - *7.1.2 Temporary Staffing Service - RemX (Written)
 - *7.1.3 Office Supplies – Office Max (Written)

- 7.2 Nonstate Contracts in Excess of \$50,000
 - *7.2.1 Engineering Services – American Building Maintenance (Written)
 - *7.2.2 Consulting Services – WorkLife Law - Cynthia Calvert (Written)
- 7.3 Budget Changes 2015-16
 - *7.3.1 Hastings Public Interest Fellowships – Summer Grants (Written)
 - *7.3.2 Kane Hall Repurposing Shelving Removal (Written)
- *7.4 Auxiliary Enterprises Proposed Budget 2016-17 (Written)
- *7.5 Budget Pre-authorizations for 2016-17
 - 7.5.1 General Salary Increase for Non-represented Staff (Written)
 - 7.5.2 Media Services – Classroom K Technology Upgrade (Written)
- *7.6 Fees for 2016-17: Parking Rates, Health Center and UCSHIP Fees and Freeze on the General Enrollment Fee and Other Mandatory Fees (Written)

The following reports were discussed at the Finance Committee meeting on May 12, 2016. The materials are included in the agenda packet for your information:

8. FINANCE COMMITTEE REPORTS:

- 8.4. Investment Report as of March 31, 2016 (Written)
- 8.5 State Budget Report for 2015-16 as of March 31, 2016 (Written)
- 8.6 Auxiliary Enterprises Budget Status Report as of March 31, 2016 (Written)
- 8.7 State Budget Update for 2016-17 (Written)
- 8.8 Report on Checks over \$50,000 (Written)

9. REPORT OF THE CHIEF FINANCIAL OFFICER

- 9.1 California Environmental Quality Act – Long Range Campus Plan (Written)
- *9.2 Long Range Campus Plan – Approval of Predevelopment Agreement with UCSF and Project Update (Written)
- *9.3 Long Range Campus Plan – Project Budget (Written)
- *9.4 State Budget Pre-authorization for 2-16-17 (Written)
- 9.5 State Contracts in Excess of \$50,000
 - *9.5.1 Viewbook (Written)

10. REPORT OF THE CHANCELLOR & DEAN

- 10.1 Report on Action Taken in Closed Session Regarding Gifts and Appointments (To Be Reported Out After Closed Session) (Oral)
- 10.2 Chancellor & Dean's Annual Report (Oral)
- 10.3 Update on Faculty Retreat, Bar Passage Programs and Academic Support (Oral)
- 10.4 Other Informational Items: Academic Programs, Student Services, External Relations and Personnel (Oral)

***11. REPORT OF THE CHAIR**

- *11.1 Election of Officers
 - *11.1.1 Chair (Oral)
 - *11.1.2 Vice Chair (Oral)
- 11.2 Report of the Chancellor & Dean Search Committee (Oral)
- *11.3 Executive Compensation (Oral)

12. DIRECTOR COMMENTS AND BOARD ANNOUNCEMENTS

This is a time reserved for Directors who wish to briefly comment on Board matters, provide a reference to staff or other resources for factual information, or direct staff to place items on future agenda.

13. THE BOARD WILL GO INTO CLOSED SESSION AT APPROXIMATELY 11:00 A.M.

The Board will adjourn to the closed session to consider the items listed on the Closed Session Agenda. At the conclusion of the Closed Session, the Board will reconvene the Open Meeting prior to adjourning the meeting, to report on any actions taken in Closed Session for which a report is required by law.

***14. ADJOURNMENT (Oral)**



UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW

BOARD OF DIRECTORS

ROLL CALL
Friday June 17, 2016

Meeting Start Time: _____

UC Hastings College of the Law
Alumni Reception Center -2nd Floor
200 McAllister Street
San Francisco, CA 94102

Directors present in answer to roll call:

- ☐ Chair Thomas Gede
- ☐ Vice Chair Chip Robertson
- ☐ Director Simona Agnolucci
- ☐ Director Donald Bradley
- ☐ Director Tina Combs
- ☐ Director Marci Dragan
- ☐ Director Claes Lewenhaupt
- ☐ Director Mary Noel Pepys
- ☐ Director Courtney Power
- ☐ Director Sandra Thompson

Meeting End Time: _____

Public Comment Period

This item is reserved for members of the public to comment on non-agenda and agenda items.

REPORT ITEM

1. **REPORT BY:** ASUCH President
2. **REPORT:** Written Report



**ASSOCIATED STUDENTS OF THE
UNIVERSITY OF CALIFORNIA, HASTINGS COLLEGE OF THE LAW**
200 McAllister Street
San Francisco, California 94102

TO: UC Hastings Board of Directors
FROM: Samuel M. Chang, *2016-2017 President of the Associated Students, UC Hastings (ASUCH)*
RE: ASUCH Report for the June 17, 2016 Board of Directors Meeting
DATE: June 6, 2016

Dear Chair Thomas Gede and Esteemed Members of the UC Hastings Board of Directors:

It is my honor to have this opportunity to address the Board. I would like to first thank you all for your time and service as stewards of the University of California, Hastings College of the Law. Today's students and future students are and will be better equipped and more ready to become lawyers of today because of the decisive yet conscientious actions you have taken and will be taking over this coming year. This past Saturday, June 4, I had the opportunity to attend the Board of Trustees and Board of Governors' meeting. There, I heard several times that UC Hastings has an "opportunity to be bold." I intend to make this phrase a theme for ASUCH as well.

I come in as ASUCH President with 7 years of student government experience including experience in chairing UC San Diego's Student Services Fee Committee, a UC Regent-mandated committee that oversees more than \$23 million dollars in student fees. If you should be curious about my experiences, I have attached my current resume as Appendix C. As the first 1L to be elected as ASUCH president in recent memory, I have an opportunity to see through initiatives for not just this year but the next year as well whether it be as an ASUCH member or as a mentor to the next generation of ASUCH officials. Regardless, I seek to build a stronger and more sustainable relationship with you all as the Board of Directors. Below, I will be writing some of the more important goals I have for this year as well as bringing some concerns by the student body.

Proposed Initiative: Visit all UC Campuses for Recruitment and Alumni Engagement

As a STEM major, I had no idea that STEM undergraduates and graduates were needed in the law. A great opportunity is present as there remains more and more Ph.D. students who are not able to find a job that is suitable for their skills. However, UC Hastings has an opportunity to court and recruit such students. With amazing clinics like the Startup Legal Garage and a booming technology and pharmaceutical environment in the Bay Area, UC Hastings is well suited and attractive to such students. However, these students need to be reached out and given options.

To recruit such students, I intend to visit all UC campuses within the next academic year to present and explain the benefits of a legal education for STEM majors. While there, I hope to also engage the Hastings alumni in the respective cities. How that may be established is something I am currently discussing with both Admissions and Advancement as well as being given some assistance by Professor Armitage of the Startup Legal Garage. I invite your thoughts on such matters.

On Reforming ASUCH

Last year, ASUCH, as the student government, spent nearly all of its time struggling with election and financial issues. Much of this stems from there being no actual bylaws for either ASUCH elections or the financial allocation process. In order to ensure that ASUCH can focus more on discussing substantive issues, I am working with my Executive Board to create an Election Code and Financial Code that clearly lays out what one can or cannot do during elections and what can or cannot be funded. These proposed Codes will not only assist ASUCH in governing but clearly also inform students and student organizations.

On Academic Initiatives

The ASUCH Executive Board is working with the Associate Dean for Academic and Professional Success to propose changes to the Legal Analysis class. Currently, Legal Analysis is offered second semester for students who choose not to take moot court as well as for the bottom percentage of 1L students. The ASUCH Executive Board is seeking to remove the stigma of Legal Analysis and seek elements of Legal Analysis to be incorporated into the first semester Legal Writing and Reasoning class. Rather than trying to remedy some students, ASUCH Executive Board desires to educate all students on legal analysis and build confidence even in the middle percentage of students.

Students have requested the creation of a dedicated 24-hour study space. Some students commuting as far as Richmond or Pleasanton stay on campus until late at night. After the library closes, students move to 100 McAllister, the “Tower”, to study. However, they seek an environment that is more conducive to studying. The ASUCH Executive Board and I are working to see what options there are to provide these students a safe and conducive environment to study late at night.

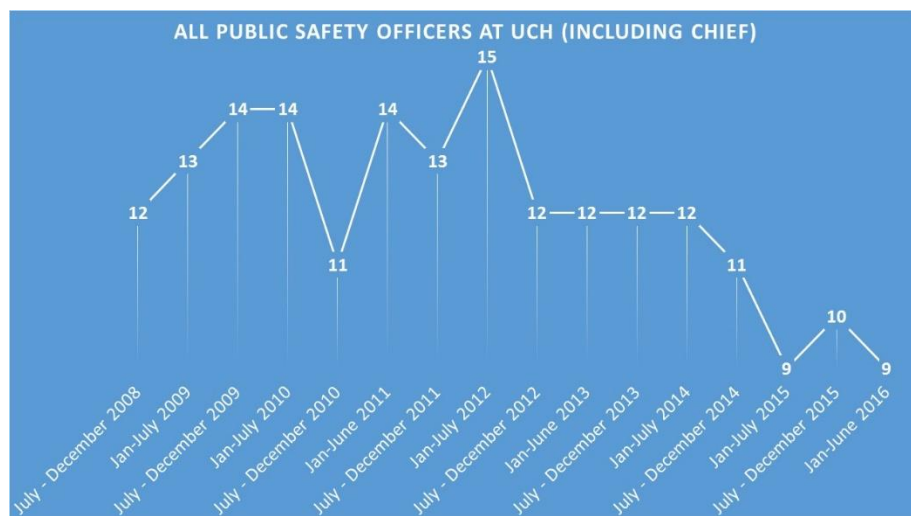
On the Chancellor Search

I would like to commend Acting Chancellor and Dean Faigman for his continuous communication with the campus and taking on opportunities to engage with students in as many ways as possible. His emails and continuous Town Halls as well as his open door policy has given students confidence in his leadership. His work in reworking the academics of UC Hastings and being present during student events has helped ease students’ concerns. I ask the Board of Directors that future Chancellor candidates should be willing to engage with students as well as Acting Chancellor and Dean Faigman has done.

On Public Safety

The most controversial issue for students this year is the discussion of replacing the current UC Hastings Public Safety Officers with UCSF Police. This issue has riled up much of the staff and students here at UC Hastings. ASUCH, last year, has passed two resolutions calling

for the UC Hastings Public Safety Officers to remain. (I have included both resolutions as Appendix A and Appendix B respectively.) For your information, I will be listing some concerns students have expressed to ASUCH this past year.



What concerns the student body is the continual drop of UC Hastings Public Safety Officers over the past few years. The chart on the left is based on the timesheets the Department of Public Safety provided in a freedom of information act request. The number of public safety officers here are not FTEs.

Although nine security guards and four police officers are being proposed by UCSF, students would like to have the assurance that the nine security guards sitting at the desk of 100, 198, and 200 McAllister are as competent or better trained than the current Public Safety Officers Hastings currently employs at the desk of the 198 and 200 McAllister lobby. The current Public Safety Officers do walk arounds as well as providing community support to the student body. Concerns by staffers and students were raised about the response time as well as adequate level of response.

The current proposal as presented at the sunshine meeting indicated that four police officers would split their time between the Mt. Zion campus and the UC Hastings campus. The distance between Mt. Zion and the 200 McAllister building is 1.7 miles or about 7 minutes driving (without traffic) or about 35 minutes walking. Some students have expressed concern that the presence of UCSF Police will not be evident at times or their response will be delayed due to UCSF Police having their attention split between these two campuses.

Some students also have questioned the introduction of armed officers in light of three Board of Directors decision to rejecting arms for UC Hastings Public Safety Officers and in light of California Penal Code 830.4(c) which states that “the peace officers designated by this subdivision shall not be authorized by this subdivision to carry firearms”.

However, I recognize that the services that UCSF brings is substantially greater than what UC Hastings can offer. I also recognize UCSF Police will bring armed officers who are willing to clean up the Tenderloin neighborhood and protect UC Hastings during any possible active shooter scenarios as evidenced in the recent UCLA shooting. I also recognize that the current steps UC Hastings is taking to increase the level of partnership with UCSF is a factor in dissolving the UC Hastings Public Safety Officers in favor of the UCSF Police Department being the major security force at UC Hastings. Finally, I recognize and believe that the Board of

Directors take steps to better UC Hastings in the long term. Rather than be critical, I seek to inform the Board of Directors on the concerns of students while being pragmatic for the future.

As explained above, students are skeptical over the proposed changes due to the vagueness. Currently, students would like any proposed changes to include UC Hastings Public Safety Officers. More than four hundred and fifty students and staffers have signed a petition requesting that the UC Hastings Public Safety Officers remain. The petitioners request retaining and increasing the number of UC Hastings Public Safety Officers rather than moving toward a new model of security. Thus, I ask the Board to ensure that if the Board believes that UCSF Police can provide better security than the current UC Hastings Public Safety Officers, all agreements with UCSF should ensure and be sufficiently relayed to the faculty, staff, and the students that the quality of security will remain the same or higher within each of the buildings and surrounding areas.

I appreciate and thank you all for the opportunity to voice ASUCH initiatives and student concerns. At the end of the day, I believe that we are all working to one common goal: to build up UC Hastings. While there may be different opinions about how to get there, I believe that communication and discussion with all members of the Hastings community will move UC Hastings forward. I look forward to working with each and every one of you. If you would like to reach me or discuss anything with me, I would be happy to do so. Please reach me at my email, schang@uchastings.edu. Thank you for your time and attention.

Most Respectfully Submitted,



Samuel M. Chang
2016-2017 President
Associated Students, UC Hastings College of the Law

cc: Acting Chancellor and Dean Faigman

Appendix A: Sept. 16 ASUCH Resolution

ASUCH¹ Resolution: ASUCH expresses their support for the current UC Hastings Public Safety Officers and opposes any attempt to replace UC Hastings Public Safety Officers with UCSF security guards.
(Submitted: September 12, 2015 / Passed: September 16, 2015)

Author: Ryan Brodovsky

Sponsors: Nick Lansdown, Matt Huzaineh, Sara Tobin, Vince Moita, Carlia Suba, Samantha Acuna

WHEREAS, UC Hastings is a law school located in the Tenderloin of San Francisco;

WHEREAS, The Tenderloin is arguable one of the most dangerous neighborhoods in San Francisco;

WHEREAS, less than a block away from the Hastings Tower where nearly 1/3 of students reside is an open air drug market known as “Pill Hill;

WHEREAS, UC Hastings is currently patrolled by Public Safety Officers who keep students safe;

WHEREAS, UC Hastings is currently patrolled by Public Safety Officers who must have completed Peace Officer Standards and Training (POST) equivalent to Basic Police Academy training;

WHEREAS, UC Hastings’ Public Safety Officers must also be trained in CPR, first aid, tear gas training;

WHEREAS, Our current UC Hastings Public Safety Officers are members of the Hastings community, and actively work to better acquaint themselves with current students and faculty by learning names and faces of nearly all Hastings community members;

WHEREAS, The union representing our Public Safety Officers, Public Safety Officers Association (PSOA), has contacted Hastings community leaders to express concern about potential negotiations which would result in UC Hastings using security personnel from UCSF police in place of our current Public Safety Officers;

WHEREAS, Student safety is a primary concern for potential and current students. Removing the legitimate police force would hinder recruitment and retention efforts.²

WHEREAS, Bringing in new security guards in place of Public Safety Officers will increase student concerns of safety;

SO IT RESOLVED THAT ASUCH expresses support for UC Hastings Public Safety Officers in any upcoming negotiations which would lead to security guards patrolling our campus in place of Public Safety Officers.

Respectfully submitted, on this 12th day of September, 2015

¹ ASUCH = Associated Students, UC Hastings [the representative student government for the student body]

² Originally submitted as: “Student safety is of the upmost concern for everyone at Hastings;”

Appendix B: February 16 ASUCH Resolution

ASUCH³ Resolution: Student Support for the Current Structure of the UC Hastings Department of Public Safety and Support for its Officers
(Submitted: February 12, 2016 / Passed: February 16, 2016)

Authors: Ryan Brodovsky, Samuel Chang

Sponsors: Carlia Suba, Matthew Huzaineh, Vince Moita, Jehmima Carril, Monica Brock

WHEREAS, the University of California, Hastings College of Law, colloquially known as UC Hastings, is located in the Tenderloin neighborhood in San Francisco;

WHEREAS, the Tenderloin neighborhood is one of the most dangerous neighborhoods in San Francisco where “as a hub of poverty and crime, [p]rostitution, drugs, and homelessness are ubiquitous”⁴;

WHEREAS, the Tenderloin has at least four times more crime and up to 35 times more crime than the City of San Francisco⁵;

WHEREAS, in 2014, there has been 54 crimes, 17 of which were robbery and 29 were aggravated assault, reported to the San Francisco Police Department within 600 feet of 198 McAllister, 200 McAllister, the UC Hastings Parking Garage, and the Tower⁶;

WHEREAS, UC Hastings staff have expressed concern at the February 10, 2016 staff town hall meeting of the crime level in the Tenderloin;

WHEREAS, a vibrant community between students, faculty and staff provides for a better learning environment, a deeper campus connection, and a stronger motivation for success that will strengthen UC Hastings;

WHEREAS, current UC Hastings Public Safety Officers are members of the UC Hastings community and actively work to better acquaint themselves with current students, faculty, and staff by learning the names and faces of nearly all Hastings community members;

WHEREAS, UC Hastings students form strong bonds with members of the faculty and staff including the Public Safety Officers which creates a community for students to thrive in;

WHEREAS, UC Hastings Public Safety Officers are trained police officers dedicated to the safety and success of the UC Hastings community;

³ ASUCH = Associated Students, UC Hastings [the representative student government for the student body]

⁴ Hugo, Pieter. "In the Tenderloin." California Sunday Magazine, 3 May 015. Web. 11 Feb. 2016. <<https://stories.californiasunday.com/2015-05-03/in-the-tenderloin/>>.

⁵ Brekke, Dan. "Shooting in San Francisco's Tenderloin Wounds 8, Prompts Call for Action | News Fix | KQED News." KQED News, 24 Mar. 2014. Web. 11 Feb. 2016. <<http://www2.kqed.org/news/2014/03/24/shooting-in-san-francisco-tenderloin-leaves-8-wounded>>.

⁶ "Hastings' Campus Crime Statistics." UC Hastings Department of Public Safety. 2015.

WHEREAS, UC Hastings Public Safety Officers have publicly stated during the February 10, 2016 Staff Town Hall meeting that they are currently under excessive amounts of stress related to their future employment status;

WHEREAS, UC Hastings students are sensitive to the struggles of those who keep them safe, and concern for officer wellbeing is growing throughout the community;

WHEREAS, discussions and possible implementations of bringing in new security guards or integrating the Public Safety Officers with the University of California, San Francisco department in place of the current UC Hastings Department of Public Safety Officers will increase student concerns of safety and loss of community forged from years of memorable experiences;

WHEREAS, security guards are not equivalent to trained police officers due to “receiv[ing] comparatively little training, compared with their police counterparts, on how to handle difficult-to-manage populations and circumstances” as well as “not [being] legally compelled to act in a crisis, do not possess special law enforcement powers and are not bound by the constitutional limitations placed on police officers because they are not government agents”⁷;

SO BE IT RESOLVED THAT ASUCH strongly supports the continuing use of Public Safety Officers over any proposed use of private security guards or officers that are not part of the UC Hastings community;

SO BE IT FURTHER RESOLVED THAT ASUCH respectfully requests all decisions relating to the future of UC Hastings Public Safety Officers be subject to a publicized and expansive public comment period that includes comments from the student body;

SO BE IT FINALLY RESOLVED THAT ASUCH supports UC Hastings Public Safety Officers in current negotiations.

Respectfully submitted, on this 12th day of February, 2016

⁷ Ruddell, Rick, Matthew O. Thomas, and Ryan Patten. "Examining the Roles of the Police and Private Security Officers in Urban Social Control." *International Journal of Police Science & Management* 13.1 (2011): 54-69.

Appendix C: Resume of Samuel Chang

Education

University of California, Hastings College of the Law, San Francisco, CA

Juris Doctorate Candidate, 2018

Finalist, Tony Patiño Fellowship [*Given to three incoming law students who demonstrated leadership ability and whose outstanding academic and personal histories show motivation and initiative.*]

Recipient, Outstanding Contributions to the UC Hastings Community [*recognizes students who demonstrated exceptional initiative and/or superior program implementation and leadership.*]

Nominated, Student Leader of the Year [*For students who made exceptional contributions to the UC Hastings community (through leadership, scholarship, employment, community building, or otherwise)*]

University of California, San Diego, La Jolla, CA

Major: Bachelor of Science, Biochemistry and Cell Biology, June 2014

Minor: Healthcare-Social Issues

Oceanids Service & Leadership Award [*Given to six graduating undergraduate students for outstanding service to the UCSD campus community.*]

Finalist, Outstanding Senior Award [*Given to one graduating undergraduate student for outstanding academic and leadership performance and for enhancing the student experience at UC San Diego.*]

Committees and Involvement at University of California, Hastings College of the Law

American Bar Association, Law Student Division

Circuit Governor for the 14th District (Northern California and Nevada law schools) [2016-2017]

Associated Students, UC Hastings

President, Associated Students UC Hastings, 2016-2017

Section 4, Associated Students UC Hastings Representative [*elected*]

Hastings Green Campus Task Force, *Co-Founder and ASUCH Liaison*

Public Safety Task Force, *Co-Founder and Chair*

Bylaws Committee, *Vice Chair*

Finance Committee [*Delegated over \$54,000 in student fees to student organizations*]

UC Hastings Faculty- Led or Staff-Led Committees

Curriculum Committee

Student Health Advisory Committee [*advise on UC Student Health Insurance Plan changes*]

Student Organizations

Hastings Heath Law Organization (HHLO) – 1L Rep (2015-2016), UCH/UCSF Consortium Liaison (2016-2017)

Korean American Law Students Association (KALSA) – 1L Rep (2015-2016), Internal Vice President (2016-2017)

Asian Pacific American Law Student Association (APALSA) - 1L Rep (2015-2016)

Significant Leadership Experience

Student Fee Advisory Committee

Chairman (2013-2014), Vice Chairman (2012-2013), Representative (2011-2012)

UC San Diego

June 2011- July 2014

- Reviewed a \$23+ million annual budget with authority from University of California Regents Policy 3101.
- Wrote annual report to Vice Chancellor Student Affairs, Vice Chancellor Health Sciences, Vice Chancellor External and Business, and Chancellor of UC San Diego updating them on use of the Student Services Fee.
- Assisted in formulating the Innovation Fund to allow entrepreneurial creativity in times of budget cuts.

Sports Facilities Advisory Board

Chairman (2012-2014), Vice Chairman (2011-2012), Member At Large (2011)

UC San Diego

October 2011- June 2014

- Reviewed the annual \$8+-million annual budget and any capital projects over \$1 million for Sport Facilities.

- Assisted in securing \$300,000 for an artificial field to reduce water costs over the next 20 years.
- Led the Board in pursuing LEED certification to increase savings in water/electrical costs (\$60,000 saved).
- Advised in new retail ventures for the RIMAC Annex to supplement smaller state appropriations.

University Centers Advisory Board

UC San Diego

Chairman

May 2013 - June 2014

- Reviewed and adopted the \$10+-million annual budget for University Centers.
- Helped approve a contract with Starbucks to bring an expected \$1 million additional revenue.
- Chaired budget committee and lowered budget deficit from an expected \$1.285 million to \$560,621.
- Corresponded and worked with UCSD's general counsel on legal challenges that garnered local attention.
- Authored the *Official University Centers Advisory Board Statement on the Redaction of the Che Cafe Facility Allocations from the University Centers FY 2014-2015 Budget* for San Diego media outlets (KPBS, NBC7).

Academic Affairs - Associated Students

UC San Diego

Chief of Staff (2011- 2012), Associate Vice President (2012-2013)

October 2011 – May 2013

- Administered the biggest student-run undergraduate grants initiative (\$22,500) in California.
- Edited and published the AS Grants Journal documenting student research from diabetes to drones.
- Oversaw creation of the A.S. Grade Distribution that showcases percentage of grades for each class.
- Relinquished 100% of stipend (\$3500) to fund Office in the face of budget cuts.

Warren College Judicial Board

UC San Diego

Member (2009-2010, 2011-2013); Vice Chair (2010-2011)

October 2009 – May 2013

- Heard students' appeals on student non-academic misconduct and rendered decisions after hearings.
- Learned the regulations and the process of the legal process for student misconduct at Warren College.

Committees and Involvement at University of California, San Diego

University of California System

Education Finance Model Steering Committee

Council on Student Fees, University of California Student Association

Student Services Fee Enforcement Campaign, *Chairman*

Selection Committee on behalf of UC San Diego

Alex G. Spanos Athletic Performance Center Executive Architect Selection Committee

Dean of Biological Sciences Search Committee, UC San Diego

East Campus Recreation Area Executive Landscape Architect Selection Committee

UC San Diego Academic Senate Committees

Academic Senate Representative Assembly

Capital Outlay and Space Advisory Committee

Classroom Advisory Committee (3 years)

Committee on Academic Information Technology

Educational Policy Committee

Education Initiative Workgroup

Associated Students UC San Diego (ASUCSD) Committees

Rules Committee, *Vice Chair*

Student Organized Voting Access Committee

Warren College Student Council (WCSC) Committees

Finance Committee, *Founding Member*

Provost Student Advisory Committee (3 years)

Rules Committee, *Founding Member*

Other Activities

Financial Analyst, ASUCSD

External Affairs Intern, ASUCSD

Saltman Quarterly Review Board, *Neurobiology/Molecular Biology*

Warren College Transfer and Commuter Commission, *Treasurer*

ACTION ITEM:

***4. GENERAL CONSENT CALENDAR**

The following items are presented as the Consent Calendar. Anyone wishing to remove any item from the Consent Calendar for discussion and/or consideration may request that the Chair remove the item from the Consent Calendar. All remaining Consent Calendar items shall be approved by the Board of Directors in a single vote without discussion.

*4.1 Approval of Minutes: March 4, 2016

(Written)



**UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW
BOARD OF DIRECTORS
OPEN SESSION
MINUTES**

March 4, 2016 – 9:00 a.m.
UC Hastings College of the Law
Alumni Reception Center, 2nd Floor
200 McAllister Street
San Francisco, California 94102

Chair Thomas Gede called the meeting to order at 9:00 a.m. and the Secretary called the roll.

1. ROLL CALL

Board Members Present

Chair Thomas Gede
Vice Chair Chip Robertson
Director Donald Bradley – via telephone
Director Tina Combs – via telephone (30 min)
Director Marci Dragun
Director Claes Lewenhaupt – via telephone
Director Mary Noel Pepys
Director Sandra Thompson

Staff Present

General Counsel Elise Traynum
Chancellor & Dean David Faigman
Provost & Academic Dean Elizabeth L. Hillman
Associate Academic Dean Jeff Lefstin
Chief Financial Officer David Seward
Chief Development Officer Eric Dumbleton
Director of External Relations Alex Shapiro
ASUCH President Nicholas Lansdown
Controller Debbie Tran
Simona Agnolucci
Courtney Power

2. PUBLIC COMMENT PERIOD

Public comments were provided by 3L student Ronnie Shou, noting the significance to her personally of the presence of Department of Safety officers.

3. REPORT OF ASUCH PRESIDENT

ASUCH President Nicholas Lansdown summarized recent ASUCH efforts and areas of concerns for students, including the state of the elevators and the desire that the College work with local hotels/motels, so that students' families may have an easier time with accommodations when they visit.

*4. GENERAL CONSENT CALENDAR

Chair Tom Gede announced Provost & Academic Dean Elizabeth Hillman's decision to become the next president of Mills College. Provost & Academic Dean Elizabeth Hillman spoke, as did Chancellor & Dean David Faigman following this announcement.

*4.1 Approval of Minutes: September 11, 2015 and December 4, 2015

4.2 Ratification of Employment Agreement / Acting Chancellor & Dean

Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the General Consent Calendar.

4.3 Resolutions Appointing Simona A. Agnolucci and Courtney Power to the UC Hastings Board of Directors

Chair Tom Gede introduced appointment of the two new Directors to the Board of Directors. He noted that the Governor makes the appointments, the state senate confirms the appointment, and the UC Hastings Board of Directors finally approves the Directors. Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the above resolutions appointing Simona A. Agnolucci and Courtney Powers to the UC Hastings Board of Directors.

5. REPORT OF THE CHAIR OF THE EDUCATIONAL POLICY COMMITTEE

5.1 Initial Assessment of Flexible JD Option

Provost & Academic Dean Elizabeth Hillman provided the report on the educational policy committee. She discussed the flexible JD option, researched by BRCOE (Berkeley Resource Center for Online Education). BRCOE was then asked to do more in-depth research into a flexible JD program. Their subsequent in-depth study was not so positive with regard to the market, but it was positive on the market for a master's of studies in law that would be a compressed, flexible degree. Chancellor & Dean David Faigman spoke to the benefits of an MSL program as a power complement to a number of technical and scientific degrees. Provost & Academic Dean Elizabeth Hillman and

Chancellor & Dean David Faigman both spoke at length about the high demand for online courses and the anticipated roll-out of a flexible JD program.

5.2 Admissions and Retention Plans

Provost & Academic Dean Elizabeth Hillman discussed admissions and retention plans. She noted that it is difficult to know prior to the deposit deadlines in April the status of the incoming class, and highlighted the priority of improving class metrics.

5.3 Update on Bar Passage Efforts

Provost & Academic Dean Elizabeth Hillman presented slides on bar passage. She noted the Bar exam will be changing to a 2-day version in 2017. She reported on the expansion of critical studies courses and of orientation. She noted that Associate Academic Dean Jeff Lefstin is meeting with students whose performance has lagged in order to get them specialized help. Those students are provided access to the academic support program. Chancellor & Dean David Faigman then spoke at length about ideas under consideration for curriculum reform. He noted these considerations would be thoroughly discussed and voted on at an upcoming faculty retreat.

5.4 Update on Library and Technology Reorganization

Provost & Academic Dean Elizabeth Hillman announced the recruitment of a new library director, Camilla Tubbs, who is coming from the University of Maryland and will be starting this summer.

5.5 Provost and Academic Dean Report on Informational Items, Including Academic Programs and Student Services

6. REPORT OF THE CHAIR OF THE ADVANCEMENT & COMMUNICATIONS COMMITTEE

Director Sandra Thompson introduced the report of the Advancement & Communications Committee.

*6.1 Resolution Amending Standing Order 100.4 (m)(2), Granting Authority to the Chancellor & Dean to Accept Gifts to the College of \$100K or Less in Lieu of the UC Hastings Board of Directors

Chief Development Officer Eric Dumbleton introduced Albert Abramson Professor Leo Martinez, who presented the resolution amending standing order 100.4 (m)(2). He noted it was discussed in the committee meetings and it was the consensus that the increased amount was necessary.

6.2 Report of Albert Abramson Professor Leo P. Martinez, Chair of the 333 Golden Gate Capital Campaign:

- 6.2.1 Resolution Establishing the “Building UC Hastings Fund”
- 6.2.2 Resolution Fast-Tracking the Gift Acceptance Process
- 6.2.3 Resolution Regarding the Naming of UC Hastings Properties, Programs, and Facilities Procedures

Albert Abramson Professor Leo Martinez described the resolutions above, noting they are interrelated. The combined purpose is to establish a receptacle for the receipt of capital funds, to allow for fast-track acceptance of gifts, and to establish suggested minimums for naming opportunities of various parts of the new building. Some discussion ensued about the application and significance of these changes.

Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the above resolutions.

Chief Development Officer Eric Dumbleton articulated a number of changes on the fundraising front, including staffing and pipeline management. He noted he eliminated the managing director of development position and replaced that with a director of alumni engagement. He also discussed changes in internal focus and increased aggression in fundraising efforts. Ideas for fundraising events were also highlighted. Chief Development Officer Eric Dumbleton then enumerated the below reports, highlighting the key points in each. The Board further discussed ways to improve and nurture donor relations throughout the capital campaign.

Director of External Relations Alex Shapiro also spoke about donor opportunities and the rolling out of a “brick-by-brick campaign,” an idea he credited to Chancellor & Dean David Faigman. He noted that the College’s ranking among lawyers and judges is number 19 and elaborated at length on rankings and the factors that influence the school’s ranking. The importance of building strong media relations was also discussed at length. Director of External Relations Alex Shapiro emphasized that the goal of the campaign is to reestablish UC Hastings as a top 20 school in the U.S. News rankings, highlighting recent successes, including that of the UC Hastings Trial Team in the recent annual national competition.

- 6.3 Cy Pres Gifts
- 6.4 \$100K + Gifts & Pledges
- 6.5 Realized Planned Gifts
- 6.6 Fundraising Comparison Raised Report
- 6.7 Fundraising Comparison Received Report
- 6.8 Year-to-Date Gifts Comparison Report

*7. FINANCE COMMITTEE CONSENT CALENDAR

*7.1 State Budget Report as of December 5, 2015 and Mid-Year Budget Changes

Chief Financial Officer David Seward provided the summary of the state budget report. He noted some erosion on the revenue side, with targets not being met for the LLM and MSL programs. He noted non-resident tuition did better than other categories. However, he reported the budget gap was successfully narrowed, and the overall deficit was reduced from \$3.6 million to \$2.4 million, primarily through salary savings and through under-awarding of financial aid grants. He reported the total cash flow from all auxiliary enterprises to be \$1.9 million. He also noted anticipated cost growth ahead, with many labor agreements expiring in the next fiscal year and the need to address compensation policies for non-represented employees. He reported the governor's decision to allocate \$2 million in the upcoming budget for purposes of funding deferred maintenance to be a source of relief which allowed the College to defer until next year certain maintenance activities that had been planned for this year.

Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the Mid-Year Budget Changes.

*7.2 State Contracts in Excess of \$50,000

7.2.1 Software License Agreement – SpringCM

7.2.2 Library Subscription – Thomson Reuters (Westlaw)

*7.3 Auxiliary Enterprises Budget Report as of December 31, 2015 and Mid-Year Budget Changes

*7.4 Auditor Selection – Auditor Selection Committee Recommendation

Director Tina Combs introduced the report on auditor selection. Controller Debbie Tran began with a history of the relationship with Hood & Strong, extending back thirteen years, noting that a change is in order. She noted seven firms were invited and elaborated at length on the selection process. She noted they were particularly impressed with Moss-Adams, who were unanimously selected. Controller Debbie Tran elaborated on the expertise of Moss-Adams and the many reasons they would serve the College well. Questions of potential conflict of interest were raised and resolved. It was agreed that transition planning would begin and that the engagement letter and timeline would be submitted to the finance committee at the next meeting.

Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the selection of Moss-Adams as auditor.

*7.5 Nonstate Contracts in Excess of \$50,000

7.5.1 Security Services – 100 McAllister Tower

*7.6 Nonstate Budget Changes

7.6.1 Long-Range Campus Plan

*7.7 Endowment Management – Spending Rate for 2016-17

*7.8 Student Housing – Residential Rent Increases for 2016-17

8. REPORT OF THE CHIEF FINANCIAL OFFICER

*8.1 UC Office of Home Loans—Mortgage Origination Program (MOP)

Chief Financial Officer David Seward first recalled the Board's authorization of participation in the University of California home loan program last fall, which was conditioned on final approval of the agreement. He noted the program is underway, that feedback has been extremely positive, and that the program is benefiting the College.

Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the Mortgage Origination Program.

*8.2 State Contracts Over \$50,000

8.2.1 Kane Hall Repurposing Project – Mkthink

8.2.2 Environmental Services – TRC

Chief Financial Officer David Seward presented contracts over \$50,000. He provided an update on the CEQA consultation and analysis for the long-range campus plan, and he reported on wind mitigation measure studies and shadow analyses. It was clarified that the state grant for the 333 Golden Gate building does not include the CEQA review. Chief Financial Officer David Seward noted that the CEQA document is being reviewed by a top land use lawyer, Charles Olson.

Upon motion duly made, seconded, and carried, the Board of Directors of the University of California Hastings College of the Law approved the above state contracts in excess of \$50,000.

8.3 Investment Report as of December 31, 2015

8.4 State Budget Update – Governor's Budget for 2016-2017

8.5 Recommendations on Payroll and HR Policies and Procedures

8.6 Long-Range Campus Plan – Draft Environmental Impact Report

8.7 Governor's Renewable Energy Mandate – Solar Power Evaluation

8.8 Report on Faculty and Staff Salaries Over \$100,000

8.9 List of Checks Over \$50,000

Chief Financial Officer David Seward summarized the remaining informational items, including the governor's budget for 2016-17.

9. REPORT OF THE CHAIR

9.1 Appointment of Director Simona A. Agnolucci and Courtney Power to Board Standing Committees

10. REPORT OF THE CHANCELLOR & DEAN

10.1 Chancellor & Dean's Report

Chancellor & Dean David Faigman spoke at length about possible collaborations and partnerships to be explored moving forward. He elaborated on a number of meetings and contacts he is pursuing at UCSF and elsewhere in the interest of developing future collaborations and partnerships, and he expressed optimism in the College's growth. He also spoke about the upcoming release of the U.S. News rankings and actions he is taking to prepare for their release and to respond to them.

10.2 Report on Recommended Payroll and Human Resources Policies by Moss Adams Consulting

Steve Fineberg from Moss-Adams Consulting summarized the report on recommended payroll and Human Resources Policies. He highlighted the importance of matching up intended outcome with actual outcome. He also noted the importance of explicit policies that outline procedures for certain activities, including stipends, pay adjustments, settlements, promotions, and reclassifications, and that such policies should be consistently applied over time. Finally, he spoke about budgets as a tool that controls expectations, and how automated reports can be used to highlight changes for immediate review and authorization. Extensive discussion over internal controls and the findings of the study ensued. Mary Case from Moss-Adams Consulting further noted that the challenge observed was in executing policy and interpreting it, rather than in finding an applicable policy.

10.3 Report on Action Taken in Closed Session Regarding Gifts and Appointments
10.4 Other Informational Items: Academic Programs, Student Services, External Relations and Personnel

11. REPORT OF THE GENERAL COUNSEL

*11.1 Request to Set New Date for the June Board of Directors Meeting
11.2 Report on 2016 Board of Directors / Faculty Retreat

General Counsel Elise Traynum presented the request to set a new date for the June Board of Directors meeting and discussed the annual faculty board retreat.

- 12. Director Comments and Board Announcements
- 13. The Board will go into closed session at approximately 11:00 a.m.
- 14. Adjournment

There being no further business to come before the Board of Directors, the Open Meeting was adjourned at approximately 12:30 a.m.

Respectfully submitted,

Elise K. Traynum, Secretary

REPORT ITEM

1. **REPORT BY:** Assistant Dean Sari Zimmerman
2. **SUBJECT:** Graduate Employment & Career Update
3. **REPORT:** Written Report.

Class of 2015: Analysis of Employment Statistics

SUMMARY: Our employment numbers increased fairly significantly this year. Our overall employment rate increased from 76% in 2014 to 84.7% for the Class of 2015. Given the bar pass number for the Class of 2015, this represents a strong showing. In addition, the percentage of full-time, long-term employed with Bar Passage Required or JD Advantage jobs (the category to which US News gives the highest weight) went up as well, from 59% for the Class of 2014 to 65.5% for the Class of 2015. As class sizes shrink across the country, many experts predicted that employment rates would go up. At a class size of 308, the Class of 2015 is significantly smaller than in the past five years (402 in 2014, 373 in 2013, 443 in 2012, and 411 in 2011).

U.S. News updates its placement methodology almost every year. The excerpt below explains their current weighting system:

Placement success (weighted by 0.20)

Placement success was calculated by assigning various weights to the number of grads employed in 43 of these different types of post-J.D. jobs, employment statuses and durations.

*Full weight was given for graduates who had a full-time job not funded by the law school or the university that lasted at least a year and for which bar passage was required or a J.D. degree was an advantage. **Many experts in legal education consider these the real law jobs** (emphasis added).*

Less weight went to full-time, long-term jobs that were professional or nonprofessional and did not require bar passage; to pursuit of an additional advanced degree; and to positions whose start dates were deferred. The lowest weight applied to jobs categorized as both part-time and short-term and those jobs for which a law school was unable to determine length of employment or whether they were full time.

For the second consecutive year, U.S. News discounted the value of jobs held by graduates that were funded by the law school or the university.

Full-time jobs lasting at least a year for which bar passage was required or a J.D. degree was an advantage did not receive full weight in the calculations if they were school- or university-funded. All other types of jobs, which already receive less weight in the rankings calculations, were further discounted if they were funded by the law school or university.

The actual discount rates were unchanged from last year for jobs funded by the law school or the university.

All these weighted figures were divided by the total number of 2014 J.D. graduates. They were used in the ranking formula only and are not published.

The analysis below discusses many of the core categories which we track for our graduates.

UNEMPLOYED AND START DATE DEFERRED: We have two graduates in this category. Both have amazing full-time, long term jobs lined up-one at the Santa Clara Superior Court to start in April 2016 and the other as a Tax Consultant at KPMG.

UNEMPLOYED AND NOT SEEKING: Two graduates reported to us that they were not seeking because they are either studying full-time for the bar, or re-studying. One will be taking the Illinois bar and the other is re-taking in California.

UNEMPLOYED AND SEEKING: We had 37 graduates in this category. Out of that total 30 (81%) did not pass the bar and were re-taking it. This is significantly higher than last year where 66% of those still seeking were re-taking the bar. It highlights the very strong correlation between bar passage and employment, particularly as we move to smaller class sizes that perhaps will be more readily absorbed into the job market.

EMPLOYED:

AiR Program: We placed five Class of 2015 graduates in the Attorneys in Residence program. One employer, Kerr & Wagstaffe returned to the program for a second year and we had three new firms take part. This program requires extensive outreach and repeat follow-up because we are targeting employers who don't traditionally hire entry-level graduates. In addition, this year we also worked with alum, Adam Sand to create a Start-Up Legal Fellowship that was open to graduates from the Classes of 2013-2015. Adriana Beach, a 2014 grad, received the two year fellowship working in-house at ShopKick.

Law school funded positions: 20 graduates had law-school funded positions at reporting time. One of these was hired by the General Counsel's Office, another received the Abascal Fellowship, and a third had a BALI solo attorney slot paid for in part by the school. The remaining 17 graduates in this category all received Bridge Fellowships (two of those also help BALI slots). Overall, we awarded 27 Bridge Fellowships. Six of the original 27 had full-time, long-term positions by the final reporting date (two with their Bridge employers, one with a DA after having his Bridge placement at a different DA and another at a PD after having completed his Bridge placement at a different PD's office).

Employed Full-Time, Long-Term in Bar Admission Required or JD Advantage work: This is the "gold standard" for purposes of US News accounting. It gives full weight to this category. We had 202 graduates in this category-65.5% of the class. The breakdown by employer type is as follows:

Full-time, long-term:

Law firm: 133¹
Government: 18
Clerkship: 9
Business: 25²
Public interest: 16³
Education: 2⁴

Full-time, short-term:

Government: 3
Law firm: 4
Business: 6

Part-time, long-term:

Business: 3
Law Firm: 10
Education: 2

Part-time, short-term:

Law firm: 5
Business: 2
Government: 9 (all Bridge fellowships)
Public Interest: 5 (all Bridge fellowships)

EMPLOYER TYPE:

Law firms: Once again this year, far more graduates went to firms with fewer than 50 attorneys compared to firms with 501+ attorneys. This is the trend we have been seeing since 2008/2009 when large law firms significantly reduced their class sizes. These numbers are consistent with national trends which highlight that large firm hiring is down significantly from 2008/2009 and that hiring at the smallest firms has actually increased. In fact, the National Association of Law Placement which tracks employment numbers nationally reported that hiring at firms of 500+ attorneys declined from a high of

¹ The additional 3 full-time, long term grads in this category (for a total of 136 in law firms) are BALI solo attorneys. They fall into the law-school funded category, which will be discounted to some degree by US News.

² The additional 4 full-time, long-term grads in this category are either Professional (3) or non-Professional (1). They will, therefore, be counted separately and further discounted by US News.

³ The additional full-time, long-term grad in this category is in the Professional category and is further discounted by US News.

⁴ The additional full-time, long term grad in this category is in a Professional job.

5,156 in 2009 to 3,980 in 2013 (with a nadir of 2,856 in 2011), while hiring at firms with 11-25 attorneys increased from 1,526 in 2009 to 1,921 in 2013.⁵ These numbers are also supported by trends reported in the Citi Private Bank/ Hildebrandt Client Advisories of 2014 and 2015 which document the larger firm focus on more strategic growth and greater differentiation within the large firm ranks.⁶

Class of 2015 graduates at law firms:

2-10 attorneys: 47
11-25 attorneys: 21
26-50 attorneys: 12
51-100 attorneys: 7
101-250 attorneys: 14
251-500 attorneys: 6
501+ attorneys: 42
Solo practice: 6

Business: We saw 40 graduates go into the business sector. This includes ten working as tax advisors for the Big Four, two in business development, three in compliance and fifteen in a variety of business careers.

Government: An interesting development is that we saw far fewer graduates pursuing government jobs this year-39 compared to 68 (including clerkships). Is this due to the debt load of our graduates? Hard to say. Once again, the largest contingent by far fell into the local government category. As a public school with a longstanding tradition of public service, the number of our graduates going into public service is something that defines our identity and of which we should be proud. At the same time, the US News ranking seems to fault schools with precisely this employment demographic because many of these employers hire on a short term (less than one year) basis.

Class of 2015 graduates in government:

Local: 24
Federal: 2
State: 3
Military: 1
Judicial Clerks: 9 (5 federal and 4 state)

Public Interest: Our numbers of graduates going to public interest organizations increased slightly from last year. We had 22 graduates in public interest jobs compared to 20 in 2014. Six of those graduates received Bridge Fellowships. One received the year-long Abascal Fellowship through that competitive selection process. Two additional graduates received post-graduate fellowships. We are still competing with those schools who offer year-long Bridge stipends (Georgetown and GW have 80 each, UC Berkeley has 20 and UCLA had 34). These year-long stipends are shaping the landscape of entry level jobs. It is

⁵ NALP Presentation by Jim Leipold, "An Update on the Entry-Level legal Employment Market," March 2015.

⁶ 2014 and 2015 Client Advisories, Hildebrandt Consulting and Citi Private Bank.

increasingly common for such positions to be paired with an expectation that the grad bring their own funding.

Class of 2015 graduates in public interest:

Community ed/organization: 2

Civil legal services: 13

Policy/advocacy: 5

Other/unknown: 2

Class of 2015

Employment Outcomes

Sari Zimmerman, Assistant Dean
Office of Career & Prof. Development



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Primary Reporting Entities

- **NALP**
- **U.S. News**
- **ABA (auditing starts with Class of 2015)**
- **Princeton Review**

- Report data 10 months after graduation.



Current U.S. News Methodology

- **Full weight:** *full-time, long-term (at least a year) jobs not funded by the law school for which bar passage was required or a J.D. degree was an advantage. “**Many experts in legal education consider these the real law jobs.**”*
- *Less weight: full-time, long-term jobs that were professional or nonprofessional and did not require bar passage; pursuit of an additional advanced degree; and positions whose start dates were deferred.*
- *Lowest weight: part-time, short-term jobs.*
- *For 2nd consecutive year: discounted full-time, long-term JD Required and JD Advantage jobs where the job was funded by the law school. Previously, those job types were fully weighted. In addition, all other types of law-school-funded and university-funded jobs were discounted more than in previous rankings.*



Employment Overview – Class of 2015

- Overall employment rate: **84.7%**
(76% in 2014).
- Full-time, long-term in Bar Required or JD Advantage jobs: **65.5%**
(59% in 2014).



GPA and Full-time, long-term employment

- *99% of the top 15% had full-time, long-term jobs*
- *93.5% of the top 20% had full-time, long-term jobs**
- *88% of the top 25% had full-time, long-term jobs*



Unemployed - Seeking

37 Total (71 in 2014):

- 30 re-taking the bar (81%)
- 24 have GPA below 3.2
- 13 have GPA below 3.0



Part-Time, Short-Term Employment

21 Total:

- 12 re-taking the bar (57%)
- 18 have GPA range: 2.566 – 3.164
- 9 in government
- 5 in public interest
- 5 in law firms
- 2 in business



Trends

- **Most grads in firms < 50 attorneys**
- **Far fewer grads in government work:**
 - **Approx. 17% in '14 and 13% in '15**
- **More grads in public interest:**
 - **Approx. 5% in '14 and 7% in 2015**



Programs to Boost Full-Time, Long-Term Employment

Attorneys in Residence (AiR):

Targeting employers who don't traditionally hire entry-level graduates—small firms and in-house legal departments:

- 5 Class of 2015 graduates
- 1 Class of 2014 graduate at new Start-Up Legal

Bay Area Legal Incubator (BALI):

Partnership with ACBA and local law schools:

- 4 Class of 2014 graduates



REPORT ITEM

1. **REPORT BY:** Provost & Academic Dean Evan Lee
2. **SUBJECT:** Other Information Items, Including Academic Programs
 And Student Services
3. **REPORT:** Oral Report.

REPORT ITEM

- | | | | |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|--------|
| 1. | REPORT BY: | Alex A. G. Shapiro, Director of External Relations | |
| 2. | SUBJECT: | External Relations: Updates | |
| 6.1.1 | Media Relations: Highlights from 2015-16; Goals for 2016-17 | | (Oral) |
| 6.1.2 | Peer Reputation: Promoting UC Hastings to Peer Institutions | | (Oral) |
| 6.1.3 | Neighborhood Relations: UC Hastings Community Partnership | | (Oral) |
| 6.1.4 | Advertising: Presentation of Strategy + Creative Brief &
Concepts Being Applied to Street Pole Banner Campaign,
Clothes, Etc. | | (Oral) |
| 6.1.5 | Personnel: Introduction of New Assistant Director | | (Oral) |
| 3. | REPORT: | Oral Report | |

REPORT ITEM

1. **REPORT BY:** Alex A. G. Shapiro, Director of External Relations
2. **SUBJECT:** External Relations: Updates

6.1.1 Media Relations: Highlights from 2015-16; Goals for 2016-17

(Oral)

REPORT ITEM

1. **REPORT BY:** Alex A. G. Shapiro, Director of External Relations
2. **SUBJECT:** External Relations: Updates

6.1.2 Peer Reputation: Promoting UC Hastings to Peer Institutions

(Oral)

REPORT ITEM

1. **REPORT BY:** Alex A. G. Shapiro, Director of External Relations
2. **SUBJECT:** External Relations: Updates

6.1.3 Neighborhood Relations: UC Hastings Community Partnership (Oral)

REPORT ITEM

1. REPORT BY: Alex A. G. Shapiro, Director of External Relations

2. SUBJECT: External Relations: Updates

6.1.4 Advertising: Presentation of Strategy + Creative Brief & Concepts
Being Applied to Street Pole Banner Campaign, Clothes, Etc.

(Oral)

REPORT ITEM

1. **REPORT BY:** Alex A. G. Shapiro, Director of External Relations
2. **SUBJECT:** External Relations: Updates

6.1.5 Personnel: Introduction of New Assistant Director

(Oral)

External Relations

Board of Directors

Thursday, May 12, 2016



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External Relations

“If the first three waves were brand as *object*, *idea*, and *experience*, the next wave will be brand as *relationship*.”

- Harvard Business Review, May 9, 2016

Brand as relationship.

So, tell me about yourself.

EDWARD DHONG '96
*Regional Counsel for IBM
in Seoul, South Korea*

4.1 Media Relations



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Professor Dave Owen on The Surprising Evolution of Federal Stream Protections.

Right now, the United States' second-most-heated environmental controversy—behind only the Clean Power Plan—involves the [Clean Water Rule](#), which seeks to clarify the scope of federal regulatory jurisdiction under the Clean Water Act. According to its many opponents, the rule is one big power grab. EPA and the Army Corps of Engineers, according to the standard rhetoric, are unfurling their regulatory tentacles across the landscape like some monstrous kraken, with devastating consequences for key sectors of the American economy.



UC Hastings Law
@UCHastingsLaw

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Spotted: Prof David Takacs (a proud #UCHastings alumnus, btw) being interviewed by @NPRinvisibilia!

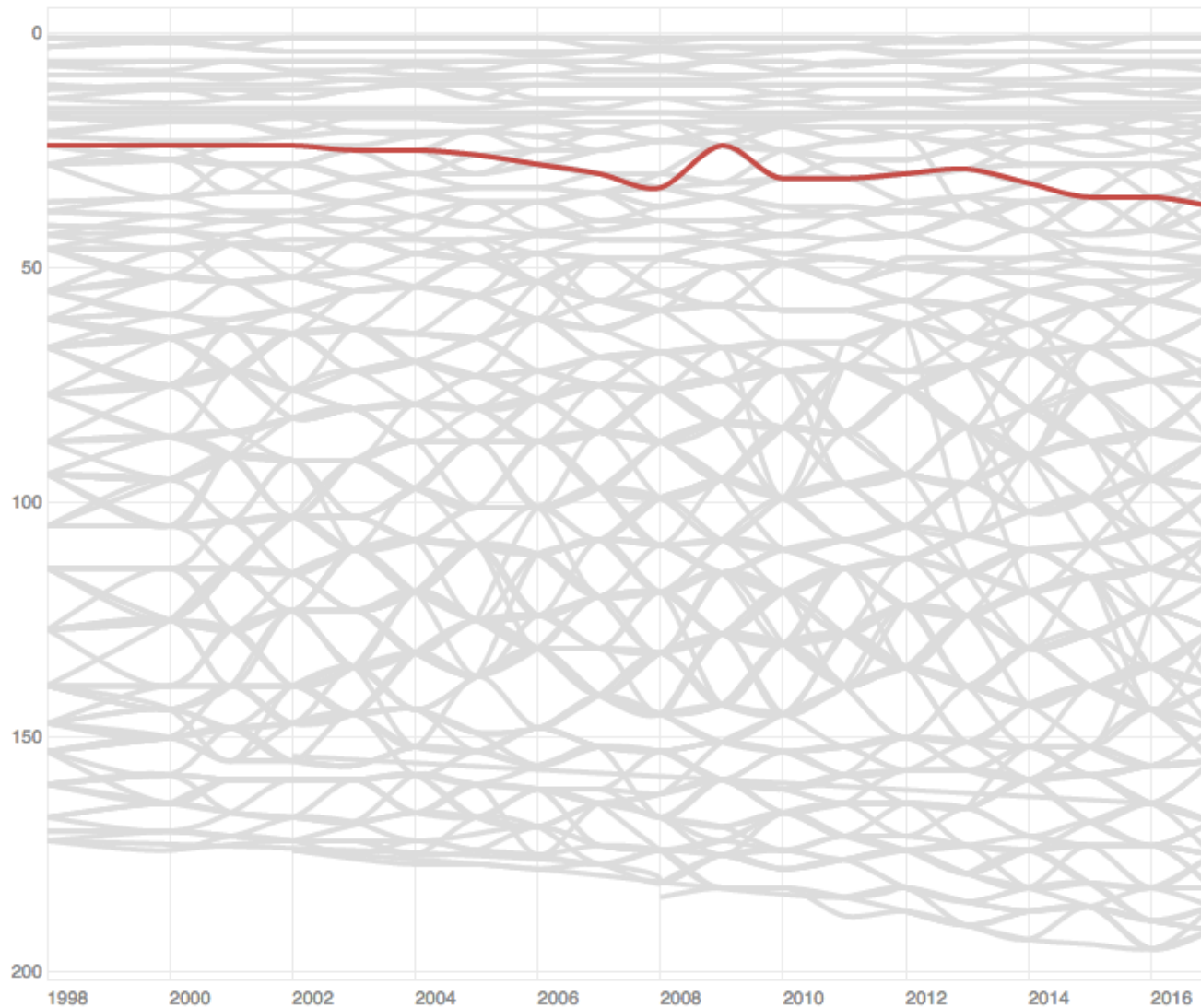
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4.2 Peer Reputation

- Peer assessment score (0.25)
- Law school deans, deans of academic affairs, chairs of faculty appointments and the most recently tenured faculty members asked to rate programs on a scale from marginal (1) to outstanding (5).
- Individuals who don't know enough about a school to evaluate it fairly are asked to mark "don't know."
- Sixty-seven percent of those surveyed responded.
- Specialty rankings are based solely on nominations by legal educators at peer institutions.

4.2 Peer Reputation



4.2 Overarching Strategy



4.3 Neighborhood Relations



4.4 Advertising

UC Hastings College of the...



SHERRY PATTERSON '14
*Merle Chambers
Scholarship recipient*

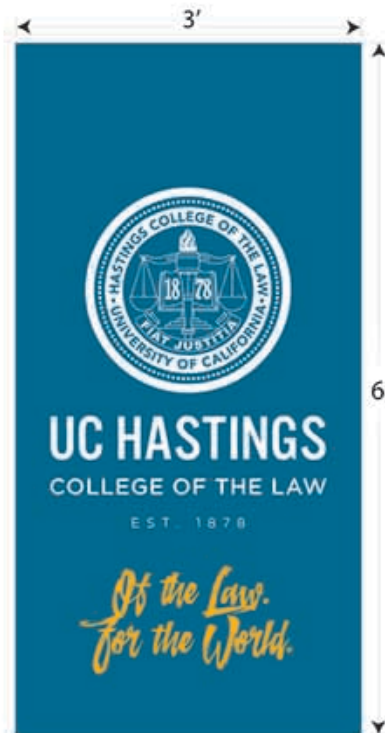
4.4 Advertising

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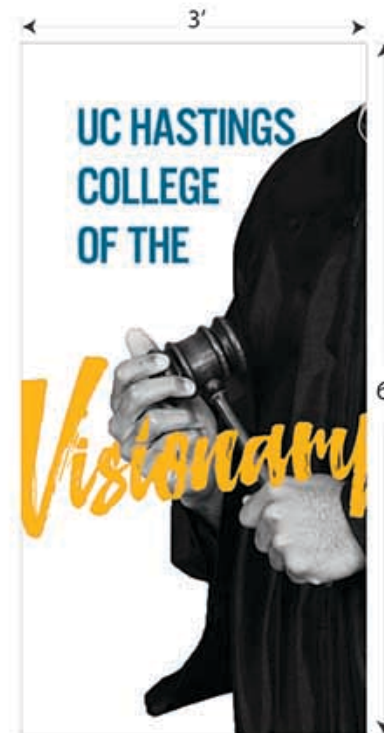
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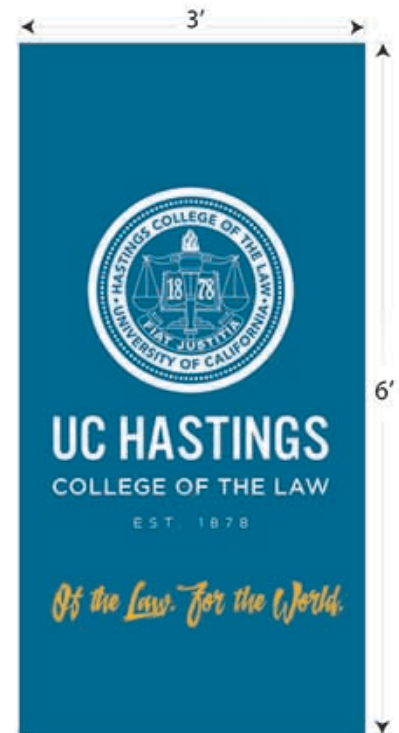
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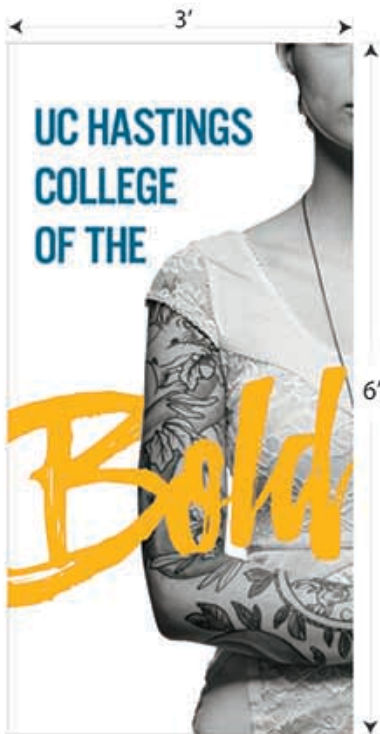
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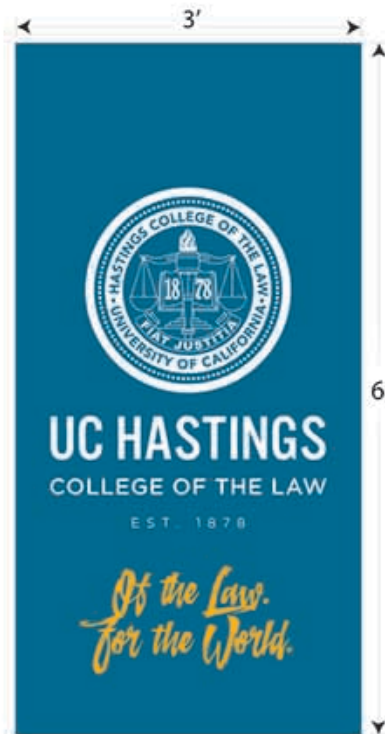
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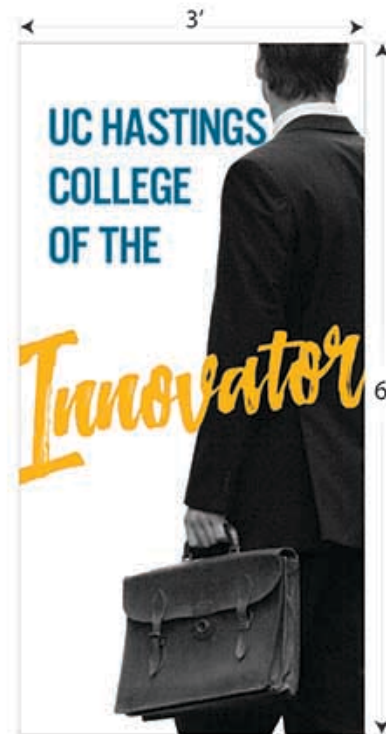
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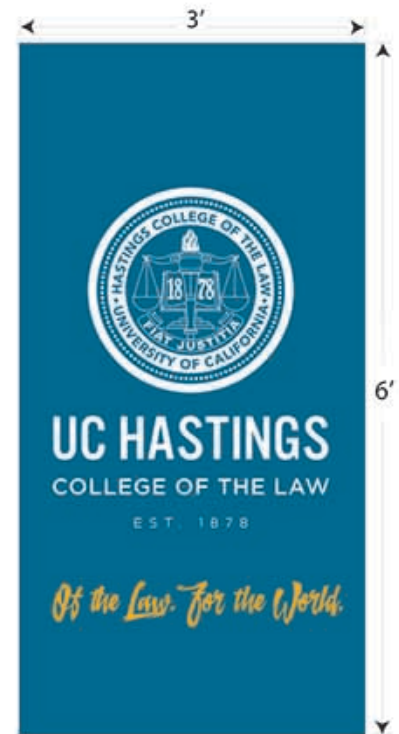
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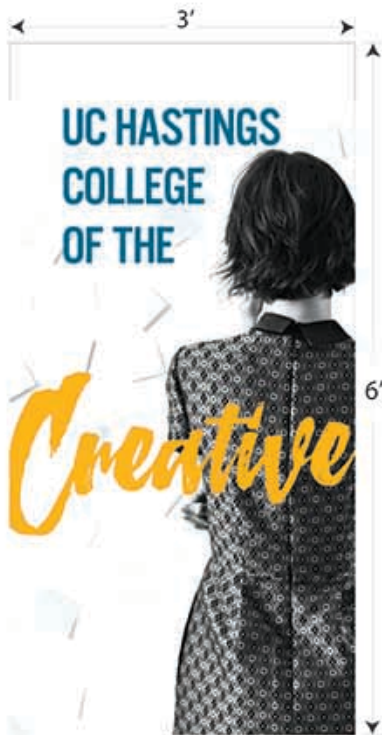
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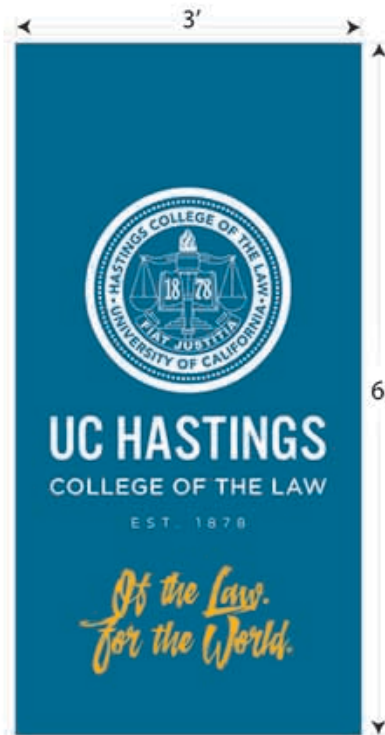
4.4 Advertising

Double Pole Banner 3'w x 6'h

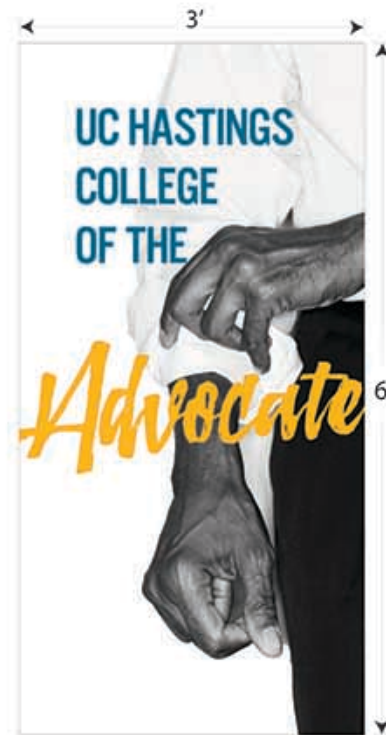
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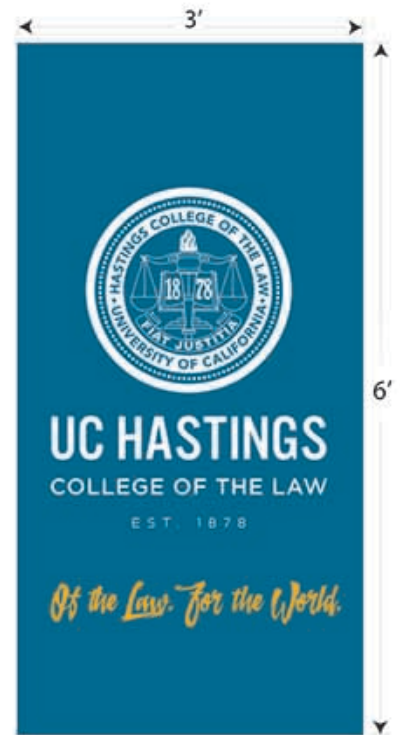
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4.xtra Building UC Hastings



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Reinvigorating UC Hastings

“We have the opportunity now to define UC Hastings for the next generation.”

– *Acting Chancellor & Dean David Faigman*



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my law school...

REPORT ITEM

- 1. REPORT BY:** Eric Dumbleton, Chief Development Officer
Institutional Advancement
- 2. SUBJECT:** Fundraising Status: 333 Golden Gate Avenue
- 3. REPORT:** Oral Report

Background:

A status on the strategy and fundraising effort related to the new academic building at 333 Golden Gate Avenue.

REPORT ITEM

1. **REPORT BY:** Eric Dumbleton, Chief Development Officer
 Institutional Advancement

2. **SUBJECT:** Development Staffing Updates

3. **REPORT:** Oral Report

Background:

An update on staffing transitions and restructuring on staff responsibilities.

REPORT ITEM

- 1. REPORT BY:** Eric Dumbleton, Chief Development Officer,
Institutional Advancement
- 2. SUBJECT:** FY 2015-2016 Development Reports:
6.4.1 Fundraising Comparison Raised Report
6.4.2 Fundraising Comparison Received Report
- 3. REPORT:** Written Reports

Background:

- A review of year-to-date reports highlighting FY16 fundraising progress.

Attachments:

- Fundraising Comparison Raised Report
- Fundraising Comparison Received Report

***Note: Pipeline Report (will be distributed at the meeting)**

UC Hastings Foundation

Comparison Year-to-Date Raised Report

	7/1/2013 to 05/31/2014					7/1/2014 to 05/31/2015						7/1/2015 to 05/31/2016					
	Total	Number of	Percentage of	Avg given	Largest	Total	Number of	Percentage of	Avg given	Largest	Variance	Total	Number of	Percentage of	Avg given	Largest	Variance
Restricted	given	Gifts	total given	per gift	Gifts	given	Gifts	total given	per gift	Gifts	Percentage	given	Gifts	total given	per gift	Gifts	Percentage
Capital & Facilities	\$0	0	0.00%	\$0	\$0	\$150	1	0.00%	\$150	\$150	0%	\$845,700	83	21.75%	\$10,189	\$500,000	563700%
Centers & Programs	\$2,500,966	423	42.55%	\$5,912	\$588,000	\$1,261,320	482	29.30%	\$2,617	\$328,456	-49.57%	\$834,756	610	21.47%	\$1,368	\$79,135	-34%
Clinical Education	\$420,630	19	7.16%	\$22,138	\$410,000	\$27,388	14	0.64%	\$1,956	\$10,000	-93%	\$9,755	8	0.25%	\$1,219	\$5,000	-64%
Faculty	\$99,032	27	1.68%	\$3,668	\$45,000	\$46,355	16	1.08%	\$2,897	\$25,000	-53%	\$34,751	6	0.89%	\$5,792	\$26,085	-25%
Faculty Chair	\$5,000	1	0.09%	\$5,000	\$5,000	\$1,000,000	1	23.23%	\$1,000,000	\$1,000,000	19900%	\$1,750	2	0.05%	\$875	\$1,000	0%
Financial Aid	\$1,540,022	212	26.20%	\$7,264	\$475,000	\$891,095	207	20.70%	\$4,305	\$162,500	-42%	\$1,053,826	123	27.10%	\$8,568	\$500,000	18%
Library	\$40	1	0.00%	\$40	\$40	\$100	1	0.00%	\$100	\$100	0%	\$100	2	0.00%	\$50	\$500	0%
Miscellaneous (Suspense Account)	\$85,154	48	1.45%	\$1,774	\$48,400	\$45,738	38	1.06%	\$1,204	\$11,202	-46%	\$72,111	106	1.85%	\$680	\$6,733	58%
Student Organizations	\$42,840	217	0.73%	\$197	\$5,000	\$82,281	305	1.91%	\$270	\$5,000	92%	\$77,728	335	2.00%	\$232	\$5,000	-6%
Subtotal:	\$4,693,684	948		\$4,951		\$3,354,427	1,065		\$3,150			\$2,930,477	1,275		\$2,298		
Unrestricted	\$1,183,911	2,288	20.14%	\$517	\$200,000	\$950,048	1,438	22.07%	\$661	\$50,000	-20%	\$957,529	1,433	24.63%	\$668	\$150,000	1%
Subtotal:	\$1,183,911	2,288		\$517		\$950,048	1,438		\$661			\$957,529	1,433		\$668		
Total Raised:	\$5,877,595	3,236	100.00%	\$1,816		\$4,304,475	2,503	100.00%	\$1,720		-27%	\$3,888,006	2,708	100.00%	\$1,436		-10%

Notes: *Cash and Pledges only

UC Hastings Foundation

Comparison Year-to-Date Received Report

	7/1/2013 to 05/31/2014					7/1/2014 to 05/31/2015						7/1/2015 to 05/31/2016					
	Total	Number of	Percentage of	Avg given	Largest	Total	Number of	Percentage of	Avg given	Largest	Variance	Total	Number of	Percentage of	Avg given	Largest	Variance
Restricted	given	Gifts	total given	per gift	Gifts	given	Gifts	total given	per gift	Gifts	Percentage	given	Gifts	total given	per gift	Gifts	Percentage
Capital & Facilities	\$0	0	0.00%	\$0	\$0	\$150	1	0.00%	\$150	\$150	0%	\$124,200	77	3.55%	\$1,613	\$75,000	82700%
Centers & Programs	\$1,734,873	449	37.69%	\$3,864	\$483,970	\$1,730,928	508	35.34%	\$3,407	\$328,456	-0.23%	\$1,110,765	635	31.75%	\$1,749	\$134,000	-36%
Clinical Education	\$112,735	20	2.45%	\$5,637	\$6,400	\$231,738	17	4.73%	\$13,632	\$102,500	106%	\$10,005	9	0.29%	\$1,112	\$5,000	-96%
Faculty	\$72,881	42	1.58%	\$1,735	\$29,583	\$62,939	29	1.28%	\$2,170	\$25,417	-14%	\$47,501	16	1.36%	\$2,969	\$26,085	-25%
Faculty Chair	\$1,100	1	0.02%	\$1,100	\$1,100	\$501,100	2	10.23%	\$250,550	\$500,000	45455%	\$252,850	4	7.23%	\$1,100	\$250,000	12642400%
Financial Aid	\$1,406,570	253	30.56%	\$5,560	\$250,000	\$1,426,146	251	29.11%	\$5,682	\$250,000	1%	\$921,372	169	26.34%	\$5,452	\$250,000	-35%
Library	\$40	1	0.00%	\$40	\$40	\$100	1	0.00%	\$100	\$100	0%	\$100	2	0.00%	\$50	\$50	0%
Miscellaneous (Suspense Account)	\$84,881	47	1.84%	\$1,806	\$5,191	\$50,138	38	1.02%	\$1,319	\$11,202	-41%	\$71,547	115	2.05%	\$622	\$6,733	43%
Student Organizations	\$54,761	229	1.19%	\$239	\$5,000	\$85,081	313	1.74%	\$272	\$5,000	55%	\$81,125	342	2.32%	\$237	\$5,000	-5%
Subtotal:	\$3,467,841	1,042		\$3,328		\$4,088,320	1,160		\$3,524			\$2,619,465	1,369		\$1,913		
Unrestricted	\$1,134,660	2,437	24.65%	\$466	\$200,000	\$810,143	1,579	16.54%	\$513	\$50,000	-29%	\$878,764	1,555	25.12%	\$565	\$150,000	8%
Subtotal:	\$1,134,660	2,437		\$466		\$810,143	1,579		\$513			\$878,764	1,555		\$565		
Total Received:	\$4,602,501	3,479	100.00%	\$1,323		\$4,898,463	2,739	100.00%	\$1,788		6%	\$3,498,229	2,924	100.00%	\$1,196		-29%

Notes: *Cash and Pledge payments

ACTION ITEM

*7. FINANCE COMMITTEE CONSENT CALENDAR

The meeting of the Finance Committee was held at UC Hastings in the A. Frank Bray Conference Room, San Francisco, CA on Thursday, May12, 2016, at 9:00am. By unanimous vote, the Finance Committee submits the following Consent Calendar. Anyone wishing to pull any item from the Finance Consent Calendar may request the Chair to remove the item from the Finance Consent Calendar for discussion. All items on the Finance Consent Calendar shall be approved by the Board of Directors in a single vote

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** State Contracts in Excess of \$50,000
- 3. RECOMMENDATIONS:**

That the Finance Committee recommends that the Board of Directors authorize award of the 2015-16 states contract described in this report.

Item: 7.1.1

Title: Kane Hall - Façade Access Project – Construction Services
Vendor Name: Scaffold Inspection & Testing Company
Cost: \$189,360
Term of Contract: One-time

Description:

Authority is requested to contract with Scaffold Inspection & Testing Company for the construction of a rooftop anchorage system at Kane Hall. The anchorage system is designed to provide OSHA-compliant access to the building façade. Appropriate façade access is required for implementing an approved window washing protocol.

Item: 7.1.2

Title: Temporary Staffing Service
Vendor Name: RemX Specialty Staffing
Cost: In excess of \$50,000
Term of Contract: Ongoing agreement

Description:

Contract authority is requested to continue contracting with RemX to provide specialty temporary staffing. The college has used RemX in prior years, and is currently using RemX to provide accounting and executive assistant staff. The expenditure has exceeded \$50,000 while recruitments are ongoing for the positions.

Item: 7.1.3
Title: Office Supplies
Vendor Name: Office Max
Cost: \$55,000 each year
Term of Contract: Three years or until re-competed.

Description:

Authority is requested to continue operating under the UC system-wide OfficeMax contract. UC Hastings joined the UC-system agreement with OfficeMax for office supplies in 2011. The program affords UC Hastings the pricing and business terms of a \$20 million system-wide contract. UC Hastings wishes to continue the relationship with OfficeMax as part of the UC agreement until the UC-system re-bids this commodity. UC Hastings annual expenses with OfficeMax exceeds \$50,000.

4. PROPOSED RESOLUTION:

That the Finance Committee recommends that the Board of Directors authorize award of the 2015-16 state contracts listed below:

8.1	Kane Hall – Facade Access	\$189,360
8.2	Temporary Staffing Services - RemX	\$50,000
8.3	Office Supplies – Office Max	\$50,000

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** Nonstate Contracts in Excess of \$50,000
- 3. RECOMMENDATIONS:**

That the Finance Committee recommends that the Board of Directors authorize award of the 2015-16 nonstate contracts described in this report.

Item: 7.2.1

Title: Engineering Services
Vendor Name: American Building Maintenance
Cost: \$560,000 each year
Term of Contract: Ongoing agreement

Description:

UC Hastings utilizes ABM Engineering to provide engineering staff at 100 McAllister. The agreement is year-to-year by contract renewal and exceeds \$50,000. Authority is requested to continue the contractual agreement with ABM Engineering for professional staff.

Item: 7.2.2

Title: WorkLife Law Consultant
Vendor Name: Cynthia Calvert
Cost: \$65,000
Term of Contract: One-year

Description:

Authority is request to enter into a contract with Cynthia Calvert, consultant for the WorkLife Law Department. Consultancy to include continued administration of the WLL hotline, and Attorney Network. Ms. Calvert will also continue her work with the FRD database, and will provide summaries of legal issues related to pregnancy accommodation cases.

4. PROPOSED RESOLUTION:

That the Finance Committee recommends that the Board of Directors authorize award of the 2015-16 nonstate contracts listed below:

9.1	Engineering Services – American Building Maintenance	\$560,000
9.2	WorkLife Law Consultant - Cynthia Calvert	\$65,000

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** Budget Changes 2015-16

3. RECOMMENDATION:

That the Finance Committee recommends that the Board of Directors approve the 2015-16 budget changes described below.

4. BACKGROUND:

The annual budget for the College is considered by the Board of Directors at its September meeting. Requested is authority to amend the 2015-16 budget for the following items:

7.3.1 Hastings Public Interest Fellowships – Summer Grants \$80,000

Proposed is an allocation of \$80,000 in nonstate unrestricted funds to provide Hastings Public Interest Fellowships, in the form of summer grants, to students that serve in public interest placements. Intended to match this year's funding commitment by the Hastings Public Interest Law Foundation (HPILF), grants of \$4,000 would be provided to support 20 students who are both devoted to public interest/public sector law while in school and who show promise as future advocates for justice. Students receive job training with qualifying public interest or public sector organizations with some form of attorney supervision. Even with this allocation of College funds, less than half of the HPILF applicants will receive support this year. Fellowships make summer positions more accessible for students who want to pursue public service legal careers but might otherwise seek private sector jobs out of financial need.

7.3.2 Kane Hall Repurposing Shelving Removal \$50,000

Requested is an allocation of \$50,000 from state plant fund reserves to augment the budget for the Kane Hall Repurposing Project. This funding is for removal of shelving from the Library's 6th floor by contract vendor Suddath Relocation Systems prior to June 30, 2016 at a bid amount of \$48,630.

5. PROPOSED RESOLUTION:

Resolved that the Finance Committee recommends that the Board of Directors approves revising the 2015-16 budget as described below:

- Hastings Public Interest Fellowships – Summer Grants \$80,000
Funding Source: Nonstate Unrestricted
- Kane Hall Repurposing Shelving Removal \$50,000
Funding Source: State Plant Fund Reserves

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** 2016-17 Proposed Budget – Auxiliary Enterprises
- 3. RECOMMENDATION:**

That the Finance Committee recommends that the Board of Directors approve the attached 2016-17 proposed budgets for Auxiliary Enterprises -- McAllister Tower, Parking Garage, Student Health Services, and Business Center.

4. BACKGROUND:

Consistent with previous years, the proposed 2016-17 budgets are being presented to the Board of Directors at its June meeting for all auxiliary enterprises.

Administrative Overhead

Effective 2015-16 the administrative overhead rate and basis for calculation changed to 12% of total operating revenues to more accurately account for indirect expenses. In years prior the overhead rate ranged 2.5%-5% and was calculated on total direct operating expenditures. While this is a cash neutral change (it does not result in more overall unrestricted funds available to the College) it shifts from state to nonstate funding sources to more closely capture the cost of indirect support services provided to self-supporting auxiliary enterprises. Budgeted in 2016-17 at a total of \$1,019,971 for all auxiliaries, this is a \$49,802 increase over the 2015-16 budget and an \$819,232 increase over 2014-15 actual.

	2016-17 Proposed	2015-16 Budgeted	Increase	2014-15 Actual
McAllister Tower	614,981	578,977	36,004	125,897
Parking Garage	293,431	276,857	16,574	38,659
Health Services	74,359	74,658	(299)	28,676
Business Services	37,200	39,677	(2,477)	7,507
Total Overhead	\$ 1,019,971	\$ 970,169	\$ 49,802	\$ 200,739

Salaries and Wages

Consistent with the proposal for all non-represented staff positions of the College, a general salary increase of 2.5% effective July 1, 2016, is budgeted for auxiliary enterprise staff contingent upon approval by the Board of Directors (a separate agenda item this meeting). Additionally, as negotiated in the contract finalized early 2015, AFSCME

employees received a 2.5% general salary increase effective January 1, 2016, and the full-year cost of last year's compensation adjustment is reflected.

McALLISTER TOWER

Revenue

- Apartment and Commercial Rent – Revenue for 2016-17 is projected to increase by six percent from 2015-16 budgeted levels. As approved by the Board of Directors at their March 2016 meeting, residential rent increases of 6% for penthouse apartments and a 7% increase for all other residential rentals effective August 1, 2016, are included and the total projected revenues are \$4,608,303.

Expenditures

- Other Contract Services – Budgeted in 2015-16, the 2016-17 budget includes continued funding for the following activities but at reduced levels:
 - \$55,000 for continuation of the flooring and room rehabilitation project, upgrading units with laminated wood and vinyl flooring (abatement and installation).
 - \$13,000 for temporary help (through an employment agency) to provide periodic front office support to the Student Housing Services Manager.

PARKING GARAGE

Revenue

- Parking Operations – The 2016-17 projected revenue is \$2,106,500 and represents a three percent increase over 2015-16 budgeted revenues of \$2,036,740. The 2016-17 budget is based on current year trends and a rate increase for monthly parkers of \$15, to \$275 per month, as proposed in a separate agenda item this meeting.
- Retail Leases – The budget reflects full-year revenue from established retail leases with Golden Era, Subway, Philz Coffee and the UC Regents for total projected revenues of \$337,956. Revenues from the new lease with the UC Regents began March 2016; this accounts for the \$69,556 increase over 2015-16 revenue of \$268,400.

Expenditures

- Maintenance and Special Repairs – The 2016-17 budget includes allocations for the ongoing maintenance of equipment and systems (generator, elevators, and ticketing systems). Also included in the proposed budget are allocations of \$10,000 to repair stairwell treads and \$10,000 to power wash the garage.

STUDENT HEALTH SERVICES

Revenues

- Fees – The fee of \$650 per student to fund the self-supporting Student Health Service Center is proposed for approval in a separate agenda item this meeting; this equates to a \$17 (3%) increase per student over the 2015-16 fee of \$633. The Graduate Student Health Insurance Plan campus administrative fee is increasing \$10 per enrolled plan member, from \$80 in 2015-16 to \$90 in 2016-17. The fee revenue projections estimate 891 FTE students paying the Health Center Fee and 446 paying the GSHIP Administration Fee.

Expenditures

- Salaries and Wages – In addition to the general salary adjustments for non-represented College employees, as described above, the Student Health Services 2016-17 budget reflects a 1% increase for employees on limited term contracts. The total projection for 2016-17 is decreased from 2015-16 to restrain cost growth in light of reduced student enrollment levels. Case management services are being reduced two hours per month and gynecological services are decreasing three hours per month.
- Consultants and Contract Services – The reduced budget in 2016-17 reflects a decrease in Internal Medicine services four hours a week. The budget includes a 1% increase for these contracted doctors.

BUSINESS CENTER

Revenues

- Copy Services – The 2016-17 revenue budget reflects a continued trend of decreased printing at the College.

Expenditures

- Contracted Services – The 2016-17 budget reflects a \$9,600 reduction in the base Business Center contract with UCSF.

5. PROPOSED RESOLUTION:

Resolved that the Finance Committee recommends that the Board of Directors approves the attached 2016-17 budgets for Auxiliary Enterprises -- McAllister Tower, Parking Garage, Student Health Services and Business Center.

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** Budget Pre-authorizations for 2016-17
- 3. RECOMMENDATION:**

That the Finance Committee recommends that the Board of Directors authorizes the expenditure activities as described in this report, prior to the Board's adoption of the annual 2016-17 budget at its September 2016.

4. BACKGROUND:

The College's budget for 2016-17 will be presented to the Board of Directors at its September 2016 meeting. The projects and activities described below require the expenditure of funds prior to the September meeting to permit the timely attainment of project deliverables and processing of employee compensation adjustments.

7.5.1 General Salary Increase for Non-represented Staff

It is proposed that effective July 1, 2016, all non-represented staff members with active appointments will receive a 2.5% general salary adjustment to their base pay (including hourly rates as applicable). This includes non-represented staff paid from both state and non-state funds. This general salary adjustment is not applicable to faculty or student employees and does not affect stipend pay.

Staff employees represented by AFSCME and AFT unions received a 2.5% increase on January 1, 2016, as included in the labor agreements approved in 2015. Non-represented employees did not receive a salary adjustment January 1, 2015.

7.5.2 Media Services – Classroom K Technology Upgrade

An allocation of \$75,000 is requested to fund activities related to technology upgrades in Classroom K during summer 2016. The room K audio-visual system is now 15 years old. It is outdated and starting to fail. Upgrading will also provide an opportunity to model and test the AV systems that the LRCP and Faculty Technology Committee have proposed for the new classroom building at 333 Golden Gate. Classroom K in the 198 McAllister building is scheduled to be in use through the academic year ending 2019.

5. PROPOSED RESOLUTION:

Resolved, that the Finance Committee recommends that the Board of Directors authorizes the expenditure activities as described in this report, prior to the Board's adoption of the 2016-17 budget.

ACTION ITEM

1. REPORT BY: David Seward

2. SUBJECT: Fees for 2016-17: Parking Rates, Health Center and UCSHIP Fees
and Freeze on General Enrollment and Other Mandatory Fees

3. RECOMMENDATION

That the Finance Committee recommend that the Board of Directors approve the following fees for 2016-17:

- A. JD General Enrollment Fee of \$43,486 (No change)
- B. Nonresident Tuition of \$6,000 (No change)
- C. MSL tuition of \$41,200 (No change)
- D. LLM tuition of \$47,500 (No change)
- E. Summer Legal Institute at \$1,200/unit for Summer 2017 (No change)
- F. Health Center Fees of \$650
- G. UC SHIP premium of \$4,753
- H. UC Hastings Parking Garage Rates Schedule (July 1, 2016).

Any recommended fee structure would be subject to change at any time as a result of gubernatorial, legislative or other determinations made by the Board of Directors.

4. BACKGROUND

The By-laws of the College provide that the Finance Committee considers and makes recommendations to the Board concerning the assessment of registration fees, educational fees, compulsory student activity fees, housing and parking charges and all other fees of the College.

Proposed fee increases are discussed below.

Parking Rates

The rate structure is intended to provide discounted parking to UC Hastings students and incidental public parking at comparable rates to those charged by other garages in the immediate area. The attached Rate Schedule displays the full array of parking and related fees. As a matter of policy, monthly rates assessed to those assigned parking in the basement of Snodgrass Hall are set at the same monthly rate charged to parkers at the UC Hastings Garage. It is proposed that the rate structure be adopted with an effective date of July 1, 2016.

The only change being proposed is an increase in monthly parking rates from \$260 to \$275 per month.

Health Center Fee

For 2016-17, a fee of \$650 (an increase of 2.7%) is needed to fund the operation of the Student Health Center. Revenue from the fee is used to cover the cost of payroll and contracted staff, medical supplies, additional hours of coverage, internal overhead, and professional liability insurance.

Graduate Student Health Insurance Plan (GSHIP)

In 2010-11, UC Hastings began its participation in the Graduate Student Health Insurance Program (GSHIP) managed by the University of California. UC Hastings' participation provided health coverage at competitive rates by achieving economies of scale by virtue of the system-wide character of the program.

For 2016-17, an annual premium of \$4,753 is proposed for students electing to participate representing an increase of 7.1% over the comparable figure last year.

▪ Medical	\$4,307
▪ Dental	189
▪ Vision	47

- Campus Program Fee - An \$80 fee to support administrative costs related to the program, no change from the prior year.
- UC Hastings Stabilization Fee – A surcharge of \$119 is included; no change from the prior year.

5. PROPOSED RESOLUTION:

Resolved that the Finance Committee recommend to the Board of Directors approval of maintaining fees unchanged from 2015-16 and continuing this fee structure for 2016-17:

- A. JD General Enrollment Fee of \$43,486 (No change)
- B. Nonresident Tuition of \$6,000 (No change)
- C. MSL tuition of \$41,200 (No change)
- D. LLM tuition of \$47,500 (No change)
- E. Summer Legal Institute at \$1,200/unit for Summer 2017(No change)

Be it further resolved, that the Finance Committee recommend to the Board of Directors approval of increasing the fees listed below for 2016-17:

- F. Health Center Fee of \$650
- G. UC SHIP premium of \$4,753

Be it further resolved, that the Finance Committee recommend to the Board of Directors approval of the attached Parking Rate Schedule with an effective date of July 1, 2016.

HOURLY PARKING RATES - AS OF JULY 1, 2016	
Hours	Rate
0-1 hour	\$3.00
1-1.5 hours	\$6.00
1.5-2 hours	\$9.00
2-2.5 hours	\$12.00
2.5-3 hours	\$15.00
3-3.5 hours	\$18.00
3.5-4 hours	\$21.00
4-4.5 hours	\$24.00
4.5- MAXIMUM	\$27.00
Motorcycle - Flat Rate (In by 9:00am out by 6:00pm)	\$10.00
UC Hastings Students (No In & Out Privileges)	\$9.00
Evening Rate (Enter After 5:00pm Out By 11:00pm)	\$9.00
MONTHLY PARKING	
Regular	\$275.00
UC Hastings Students	\$210.00
Motorcycle	\$75.00
Monthly Access Card (Non-refundable)	\$25.00

8. FINANCE COMMITTEE REPORTS

The following reports were discussed at the Finance Committee meeting on May 12, 2016. These are listed below as informational items, and distributed in the agenda packet. The Chief Financial Officer may give a brief introduction of each item and respond to questions, if requested.

- | | | |
|-----|-----------------------------------------------------------------|-----------|
| 8.4 | Investment Report as of March 31, 2016 | (Written) |
| 8.5 | State Budget Report for 2015-16 as of March 31, 2016 | (Written) |
| 8.6 | Auxiliary Enterprises Budget Status Report as of March 31, 2016 | (Written) |
| 8.7 | State Budget Update for 2016-17 | (Written) |
| 8.8 | Report on Checks over \$50,000 | (Written) |

REPORT ITEM

1. **REPORT BY:** David Seward
2. **SUBJECT:** Investment Report as of March 31, 2015
3. **REPORT:**

UC Hastings follows the investment philosophy of the University of California and invests excess cash and long-term investments – endowments and operating reserves - in the General Endowment Pool ("GEP") managed by the Office of the Treasurer. Cash needed for near term liquidity needs are allocated to the Short Term Investment Pool (STIP).

- **Invested Funds**

Investment fund balances as of March 31, 2016 are displayed below:

	As of 3-31-2016
Hastings Endowment Fund (GEP)	\$26,931,014
Hastings Operating Fund (GEP)	40,820,929
Endowed Funds Held by Regents (GEP-7)	7,127,206
Hastings Operations - STIP	<u>5,209,805</u>
Total	\$80,088,354

- **Total Return**

As of March 31, 2016, total returns for the GEP was -4.81%. Multi-year average annual returns and policy benchmarks are summarized below:

AVERAGE ANNUAL RETURNS - GEP

	<u>3 Months</u>	<u>FYTD 6/30/16</u>	<u>CYTD 3/31/16</u>	<u>3 Years</u>	<u>5 Years</u>	<u>10 Years</u>
TOTAL FUND	-2.32	-4.81	-2.32	6.46	6.31	5.53
GEP Policy Benchmark	0.42	-2.90	0.42	5.35	4.86	5.17

The Short Term Investment Pool (STIP) had a Fiscal Year To-date return of 0.94%.

REPORT ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** State Budget Report for 2015-16
-- As of March 31, 2016
- 3. REPORT:**

Attached is the budget report for 2015-16 as of March 31, 2016. Significant variances in revenues and expenditures are described below:

Revenues

- Summer Legal Institute – The actual to-date reflects revenues from the second session of summer 2015. Billing for the first session of summer 2016 has started with \$308,781 recognized as of April 28 bringing the 2015-16 year to-date actual to \$540,152 or \$107,181 more than budgeted.
- Unrealized Gain/Loss on Investments – The state account's share of pooled investment unrealized gains – a decrease in the market value of GEP – are reported through March 2016 at (\$1,295,070). The comparison figure as of March 2015 was allocation of unrealized market gains at \$1,016,333.

Expenditures

- Staff Benefits – Actual expenditures in 2015-16 are on track with budget but cannot be compared to 2014-15 for the same period because last year included a one-time prior period accounting adjustment (non-cash) of \$34,859,235 to account for actuarial accrued liability for pension benefits as required by new GASB requirements. Absent this adjustment, the 2014-15 actual as of March 31, 2015 was \$6,278,345.
- Printing – Actual expenditures as of March 2016 are \$168,000 less than March 2015. While most departments are incurring less printing expense the largest contributors to the variance compared to the prior year are Communications and Public Affairs printing the Hastings Magazine (\$93,640, with \$27,573 of that due to timing differences for the spring magazine), Admissions printing the Viewbook (\$33,360), and printing of student Scholarly Journals (\$17,700). In 2015-16 expense for the spring magazine is outstanding. A budgetary surplus is projected in this category by fiscal year end.
- Utilities – The appearance of actual expense as of March 2016 being \$152,430 less than expense as of March 2015 is due to payment timing differences. The prior year included: electricity through March while this year reflects expense through January; steam as of March 31, 2015 compared to February 18, 2016; and Water as of March 23, 2015 compared to February 19, 2016.

REPORT ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** Auxiliary Enterprises Budget Report for 2015-16
-- As of March 31, 2016
- 3. REPORT:**

Attached are budget status reports for 2015-16 as of March 31, 2016. Major variances in revenues and expenditures are described below:

McALLISTER TOWER

- Expenditures, Overhead Pro Rata – The Tower budget includes overhead, or indirect cost expense, at \$578,977 calculated at 12% of annual operating revenues (increased from prior years at 5% of operating expense). This overhead expense shifts cash from nonstate to state funding sources and is intended to capture the state cost of providing indirect support services to the Tower. The expense is recorded at fiscal year-end with the offset credited as revenue in the state budget.
- Nonoperating Revenues, Unrealized Gain/Loss on Investments – The Tower account's share of pooled investment unrealized loss – a decrease in the market value of GEP – are reported through March 2016 at (\$41,930). The comparison figure as of March 2015 was \$31,177 in unrealized gains.

PARKING GARAGE

- Revenues, Retail Leases – The midyear revised budget reflects the new commercial lease for retail space as executed with the Regents of the University of California and approved by the Hastings Board in December 2015. Base annual rent for this lease is \$42 per square foot with revenues starting March 2016. The current total monthly lease revenue is \$28,790 so budgeted levels will be attained by June 30, 2016.
- Expenditures, Overhead Pro Rata – The Garage budget includes overhead, or indirect cost expense, at \$276,857 calculated at 12% of annual operating revenues (increased from prior years at 5% of operating expense). The expense is recorded at fiscal year-end with the offset credited as revenue in the state budget.
- Nonoperating Expenses, Debt Service – Expense of \$243,300 in 2015-16 reflects the Series 2008 bond payment due October; the second annual payment is due April. In the prior year the March 31, 2015 expense included the April payment.

STUDENT HEALTH SERVICES

- Expenditures, Overhead Pro Rata – The Student Health Services budget includes overhead, or indirect cost expense, at \$74,658 calculated at 12% of annual operating revenues (increased from prior years at 5% of operating expense). The expense is recorded at fiscal year-end with the offset credited as revenue in the state budget.

BUSINESS CENTER

- Expenditures, Overhead Pro Rata – The Business Center budget includes overhead, or indirect cost expense, at \$39,677 calculated at 12% of annual operating revenues (increased from prior years at 2.5% of operating expense). The expense is recorded at fiscal year-end with the offset credited as revenue in the state budget. 2015-16 copy service revenues in the Business Center are currently trending lower than budgeted so a slight decrease in the overhead expense may result.

REPORT ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** State Budget Update 2016-17
- 3. REPORT:**

The Governor's budget proposal for the State of California's for 2016-17 is currently being reviewed by the budget committees of the Senate and Assembly. Outlines below is a brief update.

Operating Budget

- Ongoing Support - The Governor's proposed budget for fiscal year 2016-17 contains an increase in state General Fund support of 9%, or approximately \$1 million. The budget maintains flat student fees for the fifth consecutive year.
- Deferred Maintenance – An allocation of \$2 million has been earmarked to address deferred maintenance needs in the school's two state supported facilities –Kane and Snodgrass Halls. Attached is a list of deferred maintenance needs that has been provided to the Department of Finance.

Capital Outlay

The Budget Act of 2015 approved the Governor's 2015-16 budget plan and appropriated \$36.8 million in state funding in the form of lease revenue bond financing to support the construction of a new academic building at 333 Golden Gate Avenue to replace the aging academic facility located at 198 McAllister.

A request for an additional \$18.75 million was submitted to the Department of Finance in March 2016. The augmentation has received the support from the Governor's Office and a Finance Letter amending the current year budget bill has been submitted for legislative review which would bring total project cost to \$55.6 million. In retrospect, it is evident that the initial cost estimate of \$36.8 million was insufficient and did not fully take into account factors such as market trends, program requirements, site specific conditions, and costs associated with building adjacencies. The project scope - to construct an academic building of 57,500 gross square feet – remains unchanged from the enabling legislation.

A narrative, the Long Range Campus Plan (April 26, 2016) has been developed and distributed to stakeholders in Sacramento describing the overall effort and going into greater detail on the necessity of a major funding adjustment for the 333 Golden Gate Avenue academic building replacement project. Legislative outreach has occurred and response to-date has been favorable.

Day in Sacramento

Student advocates joined by representatives of the College's three governing boards – the Board of Directors and representatives of the UC Hastings Foundation and the Alumni Association – joined alumni for the 4th annual Day in Sacramento on April 12, 2016. The event was facilitated by Michael Belote of California Advocates and Professor Michael Salerno. Students lead by ASUCH President Nicholas Lansdown and Deepa Sharma provided planning and logistical support and the team of student advocates was superlative. The event has proven an effective means of communicating with legislators and their staff about the many benefits UC Hastings College of the Law provides to the people of the State of California.

Background materials are attached.

REPORT ITEM

1. **REPORT BY:** David Seward
2. **SUBJECT:** Review of College Checks & Electronic Transfers over \$50,000
3. **REPORT:**

Listed below are checks & electronic transfers issued by the College for the period of January 15, 2016 through April 29, 2016.

Date	Check/ Electronic Transfers No.	Vendor	Amount	Description
1/21/16	0263798	ABM Janitorial Service	\$74,983.18	Facilities custodial services in the 198, 200 & 100 McAllister buildings for the month of periods ending 01/31/2016
1/21/16	0263832	TRC Solutions	\$112,606.50	December 2015 professional services for 333 Golden Gate & Kane Hall projects.
2/2/16	ACH1622	Internal Revenue Service	\$606,602.22	Payment for federal income taxes, social security taxes and Medicare taxes (employee and employer share) for PPE 01/31/2016
2/2/16	E0038814	Regents University California	\$448,099.68	Employer/employee contributions to UC Retirement Plan for PPE 01/31/2016
2/11/16	ACH1613	State of California Franchise Tax Board	\$97,840.20	State withholding employee income tax payment for PPE 01/31/2016
2/12/16	E0038882	Corp State Street	\$60,122.68	Retirement program costs for annuitants and employees – Other Post-Employment Benefits for PPE 01/31/2016
2/12/16	E0038906	Regents University California	\$291,146.30	Employer/employee contributions: Health and Welfare for PPE 01/31/2016
2/23/16	0263999	ABM Engineering Service	\$64,839.59	Progressive payment for Tower Bldg. engineering services for the period ending 01/31/2016
2/26/16	0264070	ABM Janitorial Service	\$75,560.68	Facilities custodial services in the 198, 200 & 100 McAllister buildings for the month of periods ending 01/31/2016
2/29/16	ACH1626	Internal Revenue Service	\$594,367.95	Payment for federal income taxes, social security taxes and Medicare taxes (employee and employer share) for PPE 02/29/2016
2/29/16	ACH1628	State of California Franchise Tax Board	\$96,276.24	State withholding employee income tax payment for PPE 2/29/2016
2/29/16	E0039125	Regents University California	\$530,244.00	Spring UCSHIP
2/29/16	E0039126	Regents University California	\$530,244.00	Spring UCSHIP

2/29/16	PC9004030	Wells Fargo Bank, N.A.	\$248,121.23	Recording of procurement card payments/Paylt on general ledger for the month of January 2016
3/1/16	E0039119	Regents University California	\$445,622.02	Employer/employee contributions to UC Retirement Plan for PPE 02/29/2016
3/10/16	0264256	TRC Solutions	\$59,168.42	January 2016 professional services for 333 Golden Gate & Kane Hall projects.
3/11/16	E0039210	State Street Corp	\$59,776.06	Retirement program costs for annuitants and employees – Other Post-Employment Benefits for PPE 02/29/2016
3/11/16	E0039256	Regents University California	\$278,670.57	Employer/employee contributions: Health and Welfare for PPE 02/29/2016
3/22/16	0264319	ABM Janitorial Service	\$74,983.18	Facilities custodial services in the 198, 200 & 100 McAllister buildings for the month of periods ending February 2016
3/28/16	PC9004075	Wells Fargo Bank, N.A.	\$127,393.77	Recording of procurement card payments/Paylt on general ledger for the month of February 2016
3/31/16	PC9004098	Wells Fargo Bank, N.A.	\$71,224.99	Recording of procurement card payments/Paylt on general ledger for the month of January 2016
4/1/16	E0039469	Regents University California	\$453,818.59	Employer/employee contributions to UC Retirement Plan for PPE 03/31/2016
4/8/16	ACH1633	Internal Revenue Service	\$596,350.69	Payment for federal income taxes, social security taxes and Medicare taxes (employee and employer share) for PPE 03/31/2016
4/8/16	ACH1635	State of California Franchise Tax Board	\$97,799.11	Payment for federal income taxes, social security taxes and Medicare taxes (employee and employer share) for PPE 03/31/2016
4/15/16	E0039576	State Street Corp	\$60,424.32	Retirement program costs for annuitants and employees – Other Post-Employment Benefits for PPE 03/31/2016
4/15/16	E0039599	Regents University California	\$293,658.02	Employer/employee contributions: Health and Welfare for PPE 03/31/2016
4/26/16	0264547	ABM Janitorial Service	\$57,587.37	Facilities custodial services in the 198, 200 & 100 McAllister buildings for the month of periods ending March 2016
	27 Records Listed	TOTAL	\$6,510,531.56	

9. REPORT OF THE CHIEF FINANCIAL OFFICER

The following reports were discussed at the Finance Committee meeting on May 12, 2016. These are listed below as informational items, and distributed in the agenda packet. The Chief Financial Officer may give a brief introduction of each item and respond to questions, if requested.

- | | | |
|-----|--------------------------------------------------------------------------------------------|-----------|
| 9.1 | California Environmental Quality Act - Long Range Campus Plan | (Written) |
| 9.2 | Long Range Campus Plan - Approval of Predevelopment Agreement with UCSF and Project Update | (Written) |
| 9.3 | Long Range Campus Plan - Project Budget | (Written) |
| 9.4 | State Budget Pre-authorization for 2-16-17 | (Written) |
| 9.5 | State Contracts in Excess of \$50,000 | (Written) |

REPORT ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** Long Range Campus Plan – California Environmental Quality Act
- 3. REPORT:**

The Board of Directors is scheduled to meet on July 14, 2016 to consider certification of the Final Environmental Impact Report for the UC Hastings Long Range Campus Plan (LRCP).

UC Hastings is focusing the LRCP on strategically enhancing infrastructure to support an innovative approach to legal education, focusing on practical skill and experiential learning to ensure that its law students are well equipped to enter the modern legal marketplace. The UC Hastings LRCP, incorporating the findings and capital proposals of the Five Year Infrastructure Plan 2016–2021, identifies the primary focus of the College’s efforts in recent years as a systematic effort to achieve campus-wide, code-compliance, and fire/life-safety objectives, as well as other space improvements to enhance campus life for students, faculty, and staff.

The LRCP addresses the following five major infrastructure projects:

1. Constructing a new, approximately 57,000-gsf academic building on the vacant lot at 333 Golden Gate Avenue.
2. Demolishing Snodgrass Hall at 198 McAllister Street, after academic functions are moved to the new 333 Golden Gate Avenue building, and constructing a new approximately 400- to 600-unit campus housing building in its place.
3. Modernizing 50 Hyde Street; planning options include the possibility of incorporating the academic functionality of 50 Hyde Street into the lower levels of a campus housing complex on the combined 198 McAllister Street and 50 Hyde Street sites, including approximately 525 to 770 housing units.
4. Renovating and reconfiguring the Tower at 100 McAllister Street, including approximately 260 to 350 housing units.
5. Renovating and reusing the Great Hall at 100 McAllister Street.

Draft Environmental Impact Report (DEIR)

The DEIR and other information related to the environmental review process is accessible through the following link:

<http://www.uchastings.edu/about/leadership/strategic-plan/lrcp/eir/index.php>

Potential Environmental Effects of the Proposed Project

The Draft EIR determined that the proposed LRCP could have significant environmental effects on the following resource areas:

- Air Quality
- Cultural Resources
- Noise
- Wind

The Draft EIR identified mitigation measures that would eliminate or reduce impacts in Air Quality, Cultural Resources, operational Noise, and Wind effects to a less than significant level. The Draft EIR found that, to the extent nighttime construction were necessary, certain nighttime construction noise and vibration effects would be reduced but not avoided with implementation of mitigation measures. Therefore, construction noise and vibration would be significant unavoidable environmental impacts.

Public and Other Comments to the Draft EIR

The LRCP Draft EIR was published and made available for a 45-day public review period beginning on March 25, 2016, through May 9, 2016. During this time, UC Hastings received written comments on the Draft EIR. A public hearing was also held on May 3, 2016 to receive oral comments on the Draft EIR. Written and oral comments on the Draft EIR were documented and addressed through written responses, as well as taken into consideration for revision to the Draft EIR. Those comments and responses, as well as revisions to the Draft EIR have been compiled in the Environmental Impact Report Response to Comments document (attached).

Environmental Impact Report

Response to Comments



University of California

Hastings College of the Law

Long Range Campus Plan

SCH No. 2015122035

Draft EIR Publication Date: March 25, 2016

Draft EIR Public Review Period: March 25, 2016 – May 9, 2016

Draft EIR Public Hearing Date: May 3, 2016

Final EIR Certification Date: July 14, 2016

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1. INTRODUCTION

1.1 PUBLIC REVIEW OF THE LONG RANGE CAMPUS PLAN DRAFT EIR

The University of California Hastings College of the Law (UC Hastings or the College) published the Long Range Campus Plan (LRCP) Draft Environmental Impact Report (Draft EIR) for public review on March 25, 2016, initiating a 45-day public review period through May 9, 2016, pursuant to the California Environmental Quality Act (CEQA) and its guidelines, and the UC Hastings Procedures for Implementation of the California Environmental Quality Act.

UC Hastings held a public hearing on May 3, 2016, at which three speakers commented on the Draft EIR. During the public review period, a total of five letters and emails were received, including three late comment letters.

According to CEQA Guidelines Section 15088(a), “the lead agency shall evaluate comments on environmental issues received from persons who reviewed the Draft EIR and shall prepare a written response.” Chapter 3 of this Response to Comments document provides responses to comments made at the public hearing and written comments received that address environmental issues. For information and as a courtesy, Chapter 3 includes responses to the three previously mentioned late comment letters.

This Response to Comments document, together with the Draft EIR, constitute the Final Environmental Impact Report.

1.2 SUMMARY OF THE LONG RANGE CAMPUS PLAN DRAFT EIR

The proposed UC Hastings LRCP is focused on strategically enhancing its infrastructure to support an innovative approach to legal education, focusing on practical skill and experiential learning to ensure that its students are well equipped to enter the highly competitive legal marketplace. The UC Hastings LRCP, incorporating the findings and capital proposals of the Five Year Infrastructure Plan 2016–2021, identifies the primary focus of the College’s efforts in recent years as a systematic effort to achieve campus-wide code-compliance, and fire/life-safety objectives, as well as other space improvements to enhance campus life for students, faculty, and staff.

The LRCP proposes the following five major infrastructure projects:

1. Constructing a new, approximately 57,000-gross-square-foot (gsf) academic building on the vacant lot at 333 Golden Gate Avenue
2. Demolishing Snodgrass Hall at 198 McAllister Street, after academic functions are moved to the new 333 Golden Gate Avenue building, and constructing a new approximately 400- to 600-unit campus housing building in its place

3. Modernizing the 50 Hyde Street annex; planning options include the possibility of incorporating the academic functionality of 50 Hyde Street into the lower levels of a campus housing complex on the combined 198 McAllister Street and 50 Hyde Street sites; this project variant would increase the total housing on both sites to approximately 525 to 770 housing units
4. Renovating and reconfiguring the Tower at 100 McAllister Street, including approximately 260 to 350 housing units
5. Renovating and reusing the Great Hall at 100 McAllister Street

The Draft EIR determined that the proposed LRCP could have significant environmental effects in the following resource areas:

- Air Quality
- Cultural Resources
- Noise
- Wind

The Draft EIR identified mitigation measures that would eliminate or reduce impacts related to air quality, cultural resources, operational noise, and wind to a less-than-significant level. The Draft EIR found that, to the extent nighttime construction would be necessary, certain nighttime construction noise and vibration effects would be reduced but not avoided with implementation of mitigation measures, and nighttime construction noise and vibration would be significant unavoidable environmental impacts.

1.3 REVISIONS TO THE DRAFT EIR

Since Draft EIR publication, UC Hastings has further reviewed potential nighttime construction activities that would occur with LRCP development, and would limit nighttime construction such that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 vibration decibels (VdB) at residential land uses. Therefore, with revised mitigation to ensure that this vibration threshold would be avoided, nighttime construction activity associated with LRCP development would result in a less-than-significant vibration-related impact.

Draft EIR pages 4.7-21 through 25 have been revised to incorporate the updated conclusions regarding nighttime construction vibration effects. Chapter 2 of this Response to Comments document includes the amended pages. Chapter 2 of this Response to Comments document also includes amended text regarding nighttime construction vibration effects in Draft EIR Chapter 2, Summary, pages 2-6, 2-11, and 2-18.

A number of the public hearing and written comments on the Draft EIR are related to the Draft EIR analysis and conclusions regarding nighttime construction noise and vibration effects. Therefore, where appropriate, the responses included in Chapter 3 of this Response to Comments document refer to the revised construction noise and vibration discussion in Chapter 2.

Chapter 2 also includes modifications or additions to the EIR in response to other comments and information received on the Draft EIR.

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2. REVISIONS TO DRAFT EIR

Since publication of the Draft EIR, clarifications and modifications have been made to the Draft EIR in response to comments received during the public review period. The revisions to the Draft EIR have not resulted in identification of new significant impacts or new mitigation measures, nor has the severity of an impact increased.

Clarifications and modification to the EIR made in response to comments and information received on the Draft EIR are indicated by ~~strike-through~~ text, indicating deletions, and underlined text, indicating additions, as illustrated in this paragraph.

The changes to the Draft EIR are provided below by section, page number, and paragraph number, if applicable. Revisions to Section 4.7, Noise, are presented first, reflecting the UC Hastings review of potential nighttime construction activities that would occur with LRCP development, and revision of a mitigation measure to ensure that that nighttime construction activity associated with LRCP development would result in a less-than-significant vibration-related impact.

Changes to other Draft EIR text resulting from responses to comments are presented after the revised Section 4.7, Noise, text.

Section 4.7, Noise, Existing Land Uses and Sensitive Receptors, page 4.7-7, is revised as follows:

Sensitive receptors within 500 feet of a potential construction zone at the UC Hastings campus are as follows:

- On-site campus housing at 100 McAllister Street
- Civic Center Suites neighboring the campus on the eastern side, with receptors located within approximately 10 feet
- Madonna Senior Residence (Mercy Housing) located approximately 20 feet north of the campus
- Plaza Ramona Apartments neighboring the campus on the south side, with receptors located within approximately 20 feet
- Hampton Court Apartments located approximately 100 feet northwest
- St. Boniface Church and DeMarillac Academy located approximately 150 feet east
- 324 Larkin Street Apartments located approximately 150 feet southwest
- The Asian Art Museum located approximately 200 feet south
- Classic Suites Apartments located approximately 200 feet east
- C5 Children's School daycare center located approximately 266 feet west

- Oasis Apartments located approximately 300 feet north
- Kelly Cullen Community Apartments located approximately 500 feet east

Section 4.7, Noise, Impact NO-2, text on pages 4.7-22 to 4.7-26 has been revised as follows:

Impact NO-2 The project would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. ~~Significant and Unavoidable Impact~~ Less than Significant with Mitigation

Construction

Construction activity can generate varying degrees of vibration, depending on the construction procedure and the construction equipment used. Operation of construction equipment generates vibrations that spread through the ground and diminish in amplitude with distance from the source. The effect on buildings located in the vicinity of a construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels.

In most cases, the primary concern regarding construction vibration relates to damage to buildings. Activities that can result in damage include demolition and drilling in close proximity to sensitive structures. Typical vibration levels associated with construction equipment are provided in Table 4.7-5, Vibration Velocities for Construction Equipment. Heavy equipment (e.g., a large bulldozer) generates vibration levels of 0.089 inch per second at a distance of 25 feet. It is expected that foundation piles would be placed through predrilling, and impact pile-driving would not be used during construction of LRCP development projects.

Table 4.7-5: Vibration Velocities for Construction Equipment

Equipment	PPV at 25 feet (Inches/Second)	VdB at 25 feet (Micro-Inches/Second)
Jackhammer	0.035	79
Large Bulldozer	0.089	87
Caisson Drill	0.089	87
Loaded Trucks	0.076	86
Small Bulldozer	0.003	58
Pile Driver	0.644	104
Source: Federal Transit Administration. 2006. Transit Noise and Vibration Impact Assessment.		

333 Golden Gate Avenue

Construction of the new academic building at 333 Golden Gate Avenue would involve the use of heavy equipment, including a jackhammer to break up pavement. Buildings that would be most susceptible to vibration-related impacts are the mixed-use residences and the historic Civic Center Powerhouse. These receptors would be located within 10 to 120 feet of construction activity.

Heavy construction equipment (e.g., large bulldozers and loaded trucks) frequently generates between 86 and 87 VdB at 25 feet. On-site and adjacent sensitive receptors within the nearest buildings would experience peak levels of 99 VdB during those instances when heavy construction equipment moves adjacent to the façades of the existing buildings (within about 10 feet). Equipment used at distances greater than 45 feet from existing structures would cause vibration levels below 80 VdB. However, daytime construction activity adjacent to residences to the south would generate vibration levels that exceed the annoyance threshold. MM-NO-3, Construction Vibration Reduction, would reduce human annoyance caused by vibration by providing a community liaison to respond to and address complaints. Therefore, with mitigation, daytime construction activity associated with 333 Golden Gate Avenue would result in a less-than-significant vibration impact.

If nighttime construction activities were required, construction vibration during the 8:00 p.m. to 7:00 a.m. period that exceeds 80 VdB at residential land uses would result in a significant and unavoidable impact. ~~despite the implementation of MM-NO-3, Construction Vibration Reduction.~~ Due to unforeseen events or conditions, nighttime construction may be required to conform to contracted completion dates, or because certain construction activities (e.g., continuous concrete pours) may need to take place during nighttime hours.

UC Hastings would limit nighttime construction, if needed, to operations that would not involve heavy equipment (e.g., large bulldozers or loaded trucks). Implementation of MM-NO-3, Construction Vibration Reduction, would ensure that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Therefore, with mitigation, nighttime construction activity associated with 333 Golden Gate Avenue would result in a less-than-significant vibration impact.

Regarding building damage, the appropriate significance thresholds are 0.12 PPV for historic structures, and 0.3 PPV for engineered concrete and masonry (no plaster) buildings, such as the adjacent buildings. As discussed in Section 4.3, Cultural Resources, two historic resources on the same block as the proposed building at 198 McAllister Street include the apartment/hotel building at 132–154 McAllister Street, adjacent to the east, and 255 Golden Gate Avenue, located approximately 35 feet north.

Construction activities associated with 333 Golden Gate Avenue would not create vibration conditions that would affect those resources. The Civic Center Powerhouse would be 120 feet from construction activity, and the vibration level would be 0.008 PPV. This would be less than the 0.12 PPV significance threshold for historic structures.

Vibration levels at adjacent residential buildings would be 0.35 PPV at the property line. This would exceed the 0.3 PPV significance threshold. MM-NO-3 would avoid damage caused by vibration by implementing a pre-construction assessment and, if needed, monitoring would be performed during vibration-causing activities to detect ground settlement or lateral movement of structures. Therefore, with implementation of MM-NO-3, construction activity associated with 333 Golden Gate Avenue would result in less-than-significant vibration-related impacts associated with potential building damage.

MM-NO-3: Construction Vibration Reduction

UC Hastings shall designate a dedicated public liaison who shall be responsible for addressing public concerns about construction activities, including excessive noise and vibration (see MM-NO-1). The public liaison shall determine the cause of the concern and shall work with the construction contractor to implement feasible, reasonable measures to address the concern.

For any construction activities during the 8:00 p.m. to 7:00 a.m. period, UC Hastings shall ensure that such activities do not exceed 80 VdB at residential land uses and that advance notice is provided to residences and hotels within 300 feet of the construction site.

The Noise Control Plan required with MM-NO-1 shall include measures to reduce vibration exposure to the extent feasible, and may include, but not be limited to:

- operating earth-moving equipment as far away from vibration-sensitive receptors as possible, and prioritizing use of smaller, lighter-duty equipment when operation is necessary within 45 feet of sensitive receptors in existing buildings; and
- phasing demolition and ground-disturbing activity to reduce occurrences in the same time period.

Variant A – New Campus Housing Development at 198 McAllister Street/Renovation of 50 Hyde Street

Each component of Variant A would be adjacent (within 10 feet) of existing residential structures and additional buildings. Renovation activities, such as those associated with

50 Hyde Street and 100 McAllister Street, would require less heavy equipment than new construction activities. However, renovation activities would still require some heavy equipment, and vibration levels associated with renovation have been assessed in a similar manner as new construction. As discussed in Section 4.3, Cultural Resources, two historic resources on the same block as the proposed building at 198 McAllister Street include the apartment/hotel building at 132–154 McAllister Street, adjacent to the east, and 255 Golden Gate Avenue, located approximately 35 feet north. As discussed previously, unmitigated construction activity would generate vibration levels that exceed the annoyance and damage significance thresholds. MM-NO-1, MM-NO-3, and Cultural Resources MM-CR-1, Prepare a Historic Property Protection Plan in Conjunction with Demolition and Construction Plans for 198 McAllister Street or 50 Hyde Street, would mitigate vibration annoyance and damage caused by construction activities. Therefore, with implementation of mitigation measures, construction activity associated with Variant A would result in a less-than-significant vibration impact associated with potential building damage.

As discussed previously for 333 Golden Gate Avenue, MM-NO-3 would reduce construction vibration effects. Therefore, with mitigation, daytime construction activity associated with Variant A would result in a less-than-significant vibration impact. ~~If nighttime construction activities were required, construction vibration during the 8:00 p.m. to 7:00 a.m. period that exceeds 80 VdB at residential land uses would result in a significant and unavoidable impact despite the implementation of MM-NO-3.~~ If nighttime construction activities are required, construction vibration during the 8:00 p.m. to 7:00 a.m. period that exceeds 80 VdB at residential land uses would result in a significant and unavoidable impact. Implementation of MM-NO-3, Construction Vibration Reduction, would ensure that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. UC Hastings would limit nighttime construction, if needed, to operations that would not involve heavy equipment (e.g., large bulldozers or loaded trucks). Therefore, with mitigation, nighttime construction activity associated with Variant A would result in a less-than-significant vibration impact.

Variant B – New Campus Housing Development at 198 McAllister Street and 50 Hyde Street
As with Variant A, Variant B would be adjacent (within 10 feet) of existing residential structures and additional buildings. Unmitigated construction activity would generate vibration levels that exceed the annoyance and damage significance thresholds. As discussed previously, MM-NO-1, MM-NO-3, and MM-CR-1 would mitigate vibration annoyance and damage caused by construction activities. Therefore, with implementation of mitigation measures, construction activity associated with Variant B would result in a less-than-significant vibration impact associated with potential building damage.

As discussed previously for 333 Golden Gate Avenue, MM-NO-3 would reduce construction vibration effects. Therefore, with mitigation, daytime construction activity associated with Variant B would result in a less-than-significant vibration impact. ~~If nighttime construction activities were required, construction vibration during the 8:00 p.m. to 7:00 a.m. period that exceeds 80 VdB at residential land uses would result in a significant and unavoidable impact despite the implementation of MM-NO-3.~~ If nighttime construction activities are required, construction vibration during the 8:00 p.m. to 7:00 a.m. period that exceeds 80 VdB at residential land uses would result in a significant and unavoidable impact. Implementation of MM-NO-3, Construction Vibration Reduction, would ensure that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Therefore, with mitigation, nighttime construction activity associated with Variant B would result in a less-than-significant vibration impact.

Chapter 2, Summary, is revised for consistency with the changes in Section 4.7, Noise. The last full paragraph on pages 2-6 through 2-7 is revised as follows:

LRCP construction activity adjacent to residences could generate vibration levels that exceed the annoyance threshold. MM-NO-3, Construction Vibration Reduction, would help reduce exposure to vibration. With mitigation, daytime construction activity would result in a less-than-significant vibration impact. However, if nighttime construction activities were required, construction vibration during the 8:00 p.m. to 7:00 a.m. period that would exceed 80 VdB at residential land uses would result in a significant and unavoidable impact ~~despite the implementation of MM-NO-3, Construction Vibration Reduction.~~ UC Hastings would limit nighttime construction, if needed, to operations that would not involve heavy equipment (e.g., large bulldozers or loaded trucks). Implementation of MM-NO-3, Construction Vibration Reduction, would ensure that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Therefore, with mitigation, nighttime construction activity associated with LRCP projects would result in a less-than-significant vibration impact.

Chapter 2, Summary, Table 2-1: Summary of Impacts and Mitigation, Impact NO-2, on page 2-11, is revised as follows:

Impact NO-2: The LRCP would <u>not</u> result in exposure of persons to or generation of excessive groundborne vibration or	Potentially Significant	MM-NO-3: Construction Vibration Reduction UC Hastings shall designate a dedicated public liaison who shall be responsible for addressing public concerns about construction activities, including excessive noise and vibration (see MM-NO-1). The public liaison shall determine the cause of the concern and shall work with the construction contractor to implement feasible, reasonable	Significant and Unavoidable <u>Less than significant</u>
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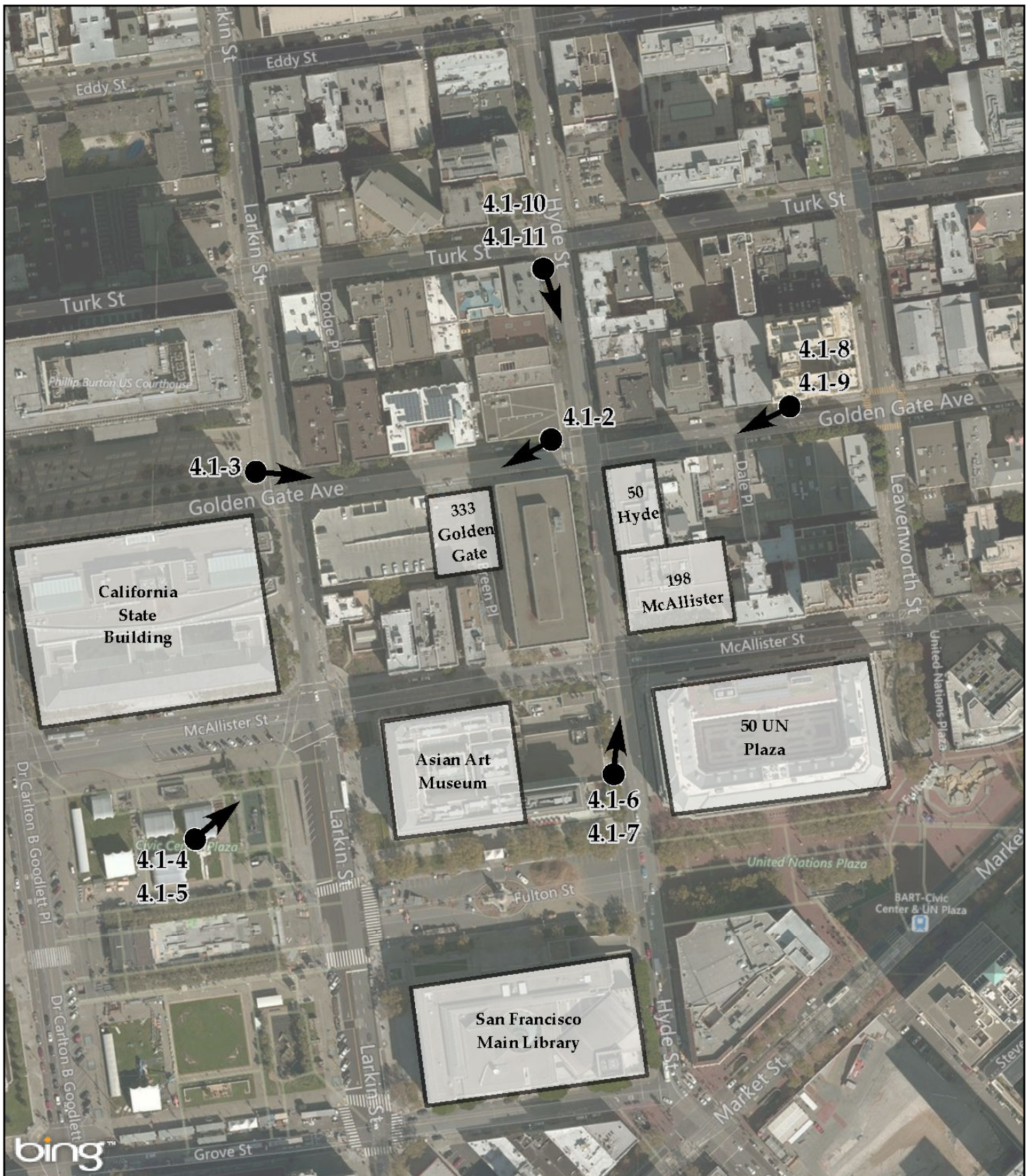
groundborne noise levels.	<p>measures to address the concern.</p> <p>For any construction activities during the 8:00 p.m. to 7:00 a.m. period, UC Hastings shall ensure <u>that such activities do not exceed 80 VdB at residential land uses and</u> that advance notice is provided to residences and hotels within 300 feet of the construction site.</p> <p>The Noise Control Plan required with MM-NO-1 shall include measures to reduce vibration exposure to the extent feasible, and may include, but not be limited to:</p> <ul style="list-style-type: none"> • operating earth-moving equipment as far away from vibration-sensitive receptors as possible, and prioritizing use of smaller, lighter-duty equipment when operation is necessary within 45 feet of sensitive receptors in existing buildings; and • phasing demolition and ground-disturbing activity to reduce occurrences in the same time period. <p>MM-NO-1: Noise Reduction (see Impact NO-1)</p> <p>MM-CR-1: Prepare a Historic Property Protection Plan in Conjunction with Demolition and Construction Plans for 198 McAllister Street or 50 Hyde Street (see Impact CR-2)</p>	
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Chapter 2, Summary, Section 2.4, Unavoidable Significant Impacts, on page 2-18, is revised as follows:

Unavoidable significant impacts were identified in the EIR relating to construction noise ~~and vibration~~ impacts. Depending on specific site conditions or engineering needs, project construction activities could require nighttime construction or use of equipment that could create ~~vibration noise~~ impacts. While those activities may be limited in duration, those effects would not be avoided with mitigation measures and would be significant unavoidable environmental impacts.

The following text changes are modifications or additions to the EIR in response to comments received on the Draft EIR.

Section 4.1, Aesthetics, Figure 4.1-1, Viewpoint Locations, on page 4.1-3, has been revised to identify additional existing buildings. The revised figure is included on the following page.



Source: Square One Productions

UC HASTINGS COLLEGE of the LAW

Long Range Campus Plan

REVISED FIGURE 4.1-1: VIEWPOINT LOCATIONS

Section 4.2, Air Quality, Sensitive Receptors, page 4.2-9, is revised as follows:

The closest sensitive receptors located within 1,000 feet of the UC Hastings campus include:

- On-site campus housing at 100 McAllister Street
- Plaza Ramona Apartments neighboring the project site on the south side, with receptors located approximately within 20 feet
- Madonna Senior Residences, approximately 20 feet north
- Hampton Court Apartments, approximately 100 feet northwest
- St. Boniface Church and DeMarillac Academy, approximately 150 feet east
- 324 Larkin Street Apartments located approximately 150 feet southwest
- Classic Suites Apartments, approximately 200 feet east
- C5 Children's School, approximately 266 feet west
- Oasis Apartments, approximately 300 feet north
- Kelly Cullen Community Apartments, approximately 500 feet east
- Mosser Towers and Cameo Apartments, approximately 550 feet northeast
- Compass Children's Center, approximately 750 feet east-northeast
- Civic Center Residences, approximately 750 feet east
- 201 Turk Apartments, approximately 870 feet east-northeast
- Eastern Park Apartments, approximately 900 feet northwest

The previously listed receptors are located within Air Pollutant Exposure Zone, Inset 2.

Section 4.6, Land Use, page 4.6-2, is revised to add the following paragraph after the second full paragraph:

Other proposed, approved, or under construction projects in the UC Hastings vicinity and Mid-Market area include a residential project at 101 Hyde Street; a hotel-retail-residential project at 950–974 Market Street; residential-retail projects at 1028 Market Street and 1066 Market Street; renovation of the historic Hibernia Bank building at McAllister and Jones Street, near Market Street; and expansion of the Asian Art Museum at Hyde Street and McAllister Street.

Section 4.8, Transportation, UC Hastings and UCSF Shuttle Services, the first full paragraph on page 4.8-13 is revised as follows:

Two UCSF shuttle routes currently pass by the UC Hastings campus, ~~but do not stop near the campus~~ but do not serve UC Hastings—the Blue route, which provides

counterclockwise circulator service between the Mission Bay, Mount Zion, Parnassus, and San Francisco General Hospital campus sites, and the Gold route, which provides clockwise circulator service between the same locations. Each route operates at 20 minute headways approximately between 6:00 a.m. and 9:00 p.m.

Section 4.8, Transportation, Impact TR-1, Construction, the first full paragraph on page 4.8-36 is revised as follows:

The addition of the worker-related vehicle or transit trips would not substantially affect transportation conditions, as impacts on local intersections or the transit network would be temporary in nature. Construction workers who drive to the construction sites would cause a temporary increase in parking demand, and potential temporary parking restrictions along frontages where construction and/or staging are occurring would cause a temporary decrease in parking supply. Construction workers would park at the UC Hastings Parking Garage or at off-campus garages such as the Civic Center Parking Garage. In addition, UC Hastings would work with construction contractors for future LRCP development to encourage their workforce to travel to and from the project site via alternative modes, including, but not limited to, providing information packets about local and regional transit.

Chapter 5, Alternatives, Table 5-1, Alternative Impact Discussion and Comparison, Noise, page 5-8, has been revised as follows:

Noise	The development of new buildings under the LRCP could involve a range of construction techniques that, depending on specific site conditions or engineering needs, could potentially require nighttime construction, or use of equipment that could create vibration-noise impacts. While those activities may be limited in duration, the nighttime noise and vibration effects would be reduced but not avoided with mitigation measures,	Construction noise generated under this alternative would be similar to the proposed LRCP, and could involve construction techniques and equipment that could potentially require nighttime construction, or use of equipment that could create vibration-noise impacts. While these activities may be limited in duration, the nighttime noise and vibration effects would be reduced but not avoided with mitigation measures,	Construction noise generated under this alternative would be similar to the proposed LRCP; and could involve construction techniques and equipment that could potentially exceed EPA thresholds, require nighttime construction, or require use of equipment that could create vibration-noise impacts. While these activities may be limited in duration, the nighttime noise and vibration effects would not be avoided with mitigation measures,
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	and would be significant unavoidable environmental impacts.	and would be significant unavoidable environmental impacts.	and would be significant unavoidable environmental impacts.
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3. RESPONSE TO COMMENTS ON DRAFT EIR

This chapter includes responses to oral comments received at the public hearing and written comments received during the public review process, starting with the agency comment letters, followed by the comment letters and emails from groups and individuals. Each letter has been assigned a number code, and individual comments in each letter have been coded to facilitate responses. Public hearing comments are numbered H1-1, H1-2, etc., and, for example, the comment letter from the San Francisco Planning Department is identified as letter 1, with comments noted as 1-1 through 1-3.

3.1 RESPONSES TO ORAL COMMENTS RECEIVED AT THE PUBLIC HEARING

UC Hastings held a public hearing on May 3, 2016, to solicit comments from the public regarding the adequacy of the environmental analysis contained in the Draft EIR. A total of three individuals commented during the hearing. Those comments have been extracted from the official transcript and included in this section (bracketed comments). The numbered comments are followed by the written responses.

UC Hastings LRCP Draft EIR Public Hearing Comments

UC HASTINGS COLLEGE OF THE LAW LONG RANGE CAMPUS PLAN (LRCP)

NOTICE OF AVAILABILITY OF
DRAFT ENVIRONMENTAL IMPACT REPORT PUBLIC HEARING

TUESDAY, MAY 3, 2016

COMMENT 1:

MR. BASSINGER: Hi everybody. So I think it's even simpler than last time. So the residents of the Rainbow Flag Apartments -- sorry.

Hi, my name is Brian Bassinger. I'm the director of the Aids Housing Alliance Q Foundation here in San Francisco, located over on Golden Gate.

Also I'm here with my partner who is a resident of the Rainbow Flag Apartments, James Nykolay.

And so the residents of that place are also significantly clients that we place there, so we get to have lots of conversations with our clients on a regular basis.

Last time we had conversations about the garage and there was questions about both light, air, pollution, noise.

I think on this one the folks just want to get more information about what the noise is going to be like. And I think that when the letter went out about night time, I think that's when everybody went, "What?" So we're just here to get more information and find out what the plan is and how we might be able to participate in that, so I don't have to hear about it.

I want you all to understand, I don't want to hear about it.

H1-1

Comment 2:

MR. NYKOLAY: Hello, everybody. I'm James Nykolay, I was introduced already. I'm a resident of 324 Larkin, and yes, we do have concerns about the noise and what you meant by mitigation.

There were some pretty serious steps taken when the parking lot was built. Double paned windows were put in on the side. Although the front was left and the back was left open so all the noise was mitigated, it just went around through the windows, which are pretty poorly installed on the front as it's a 1920's building anyway.

So we're just curious as to what the mitigation is going to be. We have tenants who are unable to leave, as was stated during the parking lot's original construction and the hearing that was held on that. They can't leave in the daytime, so they're stuck in whatever noise impact is great.

And now that there is a structure 12, 16 feet from our building, the echo chamber that's created is massive. At night time, as anyone who has ever been -- pay attention at night time, noise is amplified even more so.

We were told that the parking lot was going to close at 10:00 a.m. [sic] although we've had regular incidences where the parking lot was open until 1:30 and the noise coming out of there is horrific and it impacts everybody in the building, but specifically those of us who live on that side of the building.

H1-2

H1-2 | So naturally we have concerns about night time
cont. | construction as well and wanted to know what was going to be
H1-3 | done to mitigate that.
H1-3 | Also, why was night time construction necessary?

Comment 3:

H1-4 | MR. VILORIA: My name is Jaime and I live over there
H1-4 | at 250 McAllister, and I'm just, you know, adding to their
H1-4 | comments about the noise. Our alley amplifies everything and
H1-4 | it's really loud. My unit particularly is, you know, during
H1-4 | construction is going to be loud.

H1-5 | Also, I have a couple residents who actually work in
H1-5 | the graveyard shifts, and so during the daytime, you know, one
H1-5 | of them is directly, like, next to the construction on 333
H1-5 | Golden Gate, so I was wondering are there any options for them
H1-5 | in terms of like, you know, helping mitigate the noise or even
H1-5 | possibly relocating if they really need it.
H1-5 | So that's my questions.

Response H1-1

Draft EIR Section 4.7, Noise—beginning on page 4.7-1—addresses construction noise impacts on pages 4.7-13 through 4.7-19. Draft EIR page 4.7-16 acknowledges that nighttime construction noise impacts would be significant and unavoidable. While UC Hastings anticipates that construction activity would generally only occur between 7:00 a.m. and 8:00 p.m., nighttime construction noise impacts were conservatively judged to be significant unavoidable environmental impacts due to lower ambient noise levels during nighttime. Nighttime construction may be required to conform to contracted completion dates due to unforeseen events or conditions, or because certain construction activities (e.g., continuous concrete pours) may need to take place during nighttime hours.

Mitigation Measure (MM)-NO-1, on Draft EIR page 4.7-16, notes that a public liaison would be designated and would be responsible for addressing public concerns about construction activities; including those related to noise impacts:

UC Hastings shall designate a dedicated public liaison who shall be responsible for addressing public concerns about construction activities, including excessive noise and vibration. The public liaison shall determine the cause of the concern and shall work with the construction contractor to implement feasible, reasonable measures to address the concern.

If nighttime construction activity between 8:00 p.m. and 7:00 a.m. is required, UC Hastings shall ensure that advance notice is provided to residences and hotels within 300 feet of the construction site.

As discussed in Chapter 1 of this Response to Comments document, since Draft EIR publication, UC Hastings has further reviewed potential nighttime construction activities that would occur with LRCP development, and would limit nighttime construction such that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Therefore, with revised mitigation to ensure that this vibration threshold would be avoided, nighttime construction activity associated with 333 Golden Gate Avenue would result in a less-than-significant vibration-related impact. Chapter 2 of this Response to Comments document includes the updated nighttime construction vibration impact and mitigation text.

Response H1-2

Draft EIR Section 4.7 Noise—beginning on page 4.7-1—addresses construction noise impacts on pages 4.7-13 through 4.7-19. Draft EIR page 4.7-16 acknowledges that nighttime noise impacts would be significant and unavoidable. While it is anticipated that construction activity would generally only occur between 7:00 a.m. and 8:00 p.m., nighttime noise impacts were conservatively judged to be significant unavoidable environmental impacts due to lower ambient noise levels during nighttime.

As noted in Response H1-1, since Draft EIR publication, UC Hastings has further reviewed potential nighttime construction activities that would occur with LRCP development, and would limit nighttime construction such that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Therefore, with revised mitigation to ensure that this vibration threshold would be avoided, nighttime construction activity associated with 333 Golden Gate Avenue would result in a less-than-significant vibration-related impact.

As part of development of the UC Hastings Parking Garage, UC Hastings supported installation of double-paned windows at the wall of 324 Larkin Street facing the garage. The new windows were intended to reduce noise impacts on 324 Larkin Street residents from ongoing garage operation. The garage has an open structure, and operates until 11:00 p.m. unless hours are extended to support special events at neighboring cultural venues (e.g., the Asian Art Museum or Bill Graham Civic Auditorium). The proposed 333 Golden Gate Avenue building would not be directly adjacent to the 324 Larkin Street building, and construction-related noise impacts would be attenuated due to the distance from the Golden Gate Avenue site. The new academic building would be an enclosed building rather than an open structure, and would not produce significant operational noise impacts.

Response H1-3

Please see Response H1-1 regarding nighttime construction noise impacts. Nighttime construction would only be conducted in the event that construction activities were necessary to maintain a reasonable project schedule, or to conduct construction activities requiring continuous operation (e.g., concrete slab foundation pouring). However, as stated on Draft EIR page 4.7-16, it is anticipated that construction activity would generally only occur between 7:00 a.m. and 8:00 p.m.

As noted in Response H1-1, nighttime construction noise impacts were conservatively judged to be significant unavoidable environmental impacts due to lower ambient noise levels during nighttime.

As stated in MM-NO-1, on Draft EIR page 4.7-16, if nighttime work becomes necessary, UC Hastings will ensure that advance notice is provided to residences and hotels within 300 feet of the construction site, and a public liaison will be available and responsible for addressing public concerns regarding construction noise and vibration.

Response H1-4

Draft EIR Section 4.7 Noise—which begins on page 4.7-1—addresses construction noise impacts on pages 4.7-13 through 4.7-19. Draft EIR page 4.7-16 acknowledges that nighttime noise impacts would be significant and unavoidable. While it is anticipated that construction activity would generally only occur between 7:00 a.m. and 8:00 p.m., nighttime noise impacts were conservatively judged to be significant unavoidable environmental impacts due to lower ambient noise levels during nighttime.

Please also see Response 4-1 regarding nighttime construction noise effects and mitigation.

Response H1-5

Please see Response H1-1 regarding nighttime construction noise effects and mitigation.

Regarding potential temporary relocation of residents who work nighttime shifts and would be affected by daytime construction noise impacts, as noted on Draft EIR pages 4.7-16 and 4.7-23, and discussed in Response H1-1, UC Hastings will designate a public liaison who will be available and responsible for addressing public concerns about construction activities, specifically those related to noise and vibration impacts. That process could address the specific concerns of daytime sleepers in buildings adjacent to 333 Golden Gate Avenue.

This liaison would also act as a community outreach coordinator to address specific resident needs as they arise during LRCP implementation.

3.2 RESPONSES TO WRITTEN COMMENTS RECEIVED DURING THE PUBLIC REVIEW PERIOD

All of the comment letters received during the public review period—from March 25 to May 9, 2016—are listed in Table 3-1, Comment Letters on Draft EIR. This section includes a copy of each comment letter received, followed by a written response to each comment. Three letters received after May 9, 2016, are responded to for information.

Table 3-1: Comment Letters on Draft EIR

Letter No.	Agency/Organization/Individual	Date of Letter
i	State of California Governor's Office of Planning and Research, State Clearinghouse and Planning Unit	May 10, 2016
1	San Francisco Planning Department	May 3, 2016
2	San Francisco Municipal Transportation Agency (SFMTA)	May 6, 2016
3*	Dennis Hong	May 10, 2016
4*	John-Francis Pepka	May 10, 2016
5*	Gregory A. Fry	May 10, 2016
* Denotes late comment letter.		



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

May 10, 2016

David Seward
Hastings College of The Law
200 McAllister Street
San Francisco, CA 94102

Subject: University of California Hastings College of the Law Long Range Campus Plan Environmental
Impact Report
SCH#: 2015122035

Dear David Seward:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on May 9, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015122035
Project Title University of California Hastings College of the Law Long Range Campus Plan Environmental Impact
Lead Agency Report
Hastings College of The Law

Type EIR Draft EIR
Description UC Hastings is focusing its LRCP on strategically enhancing its infrastructure to support an innovative approach to legal education, focusing on practical skill and experiential learning to ensure that its law students are well equipped to enter the modern legal marketplace. The UC Hastings LRCP, incorporating the findings and capital proposals of the Five Year Infrastructure Plan 2016-2021, identifies the primary focus of the College's efforts in recent years as a systematic effort to achieve campus-wide, code-compliance, and fire/life-safety objectives, as well as other space improvements to enhance campus life for students, faculty, and staff.

Lead Agency Contact

Name David Seward
Agency Hastings College of The Law
Phone 415-565-4710 **Fax**
email
Address 200 McAllister Street
City San Francisco **State** CA **Zip** 94102

Project Location

County San Francisco
City San Francisco
Region
Lat / Long 37° 46' 52.27" N / W
Cross Streets Golden Gate Ave., Larkin St., McAllister St., Hyde St., and Leavenworth St.
Parcel No. various

Township	Range	Section	Base
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Proximity to:

Highways Hwy 101
Airports
Railways MUNI Light Rail, BART
Waterways SF Bay
Schools De Marillac Academy
Land Use Residential-Commercial (RC-4), Commercial (C-3-G), and Public (P) zoning use districts

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Geologic/Seismic; Soil Erosion/Compaction/Grading; Noise; Traffic/Circulation; Growth Inducing; Landuse; Cumulative Effects; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Office of Historic Preservation; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; California Highway Patrol; Caltrans, District 4; Air Resources Board; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission

Date Received 03/25/2016 **Start of Review** 03/25/2016 **End of Review** 05/09/2016

**STATE OF CALIFORNIA GOVERNOR'S OFFICE OF PLANNING AND RESEARCH, STATE
CLEARINGHOUSE**

Response

This comment acknowledges that UC Hastings has complied with the State Clearinghouse review requirements for draft environmental documents. No state agencies submitted comments on the Draft EIR. No further response is necessary.



SAN FRANCISCO PLANNING DEPARTMENT

MEMO

May 3, 2016

Mr. David Seward
Chief Financial Officer
UC Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Re: Comments on UC Hastings College of the Law Long Range Campus Plan Draft EIR

Dear Mr. Seward,

Thank you for the opportunity to comment on the above-referenced Draft EIR (DEIR). Below are comments from the San Francisco Planning Department.

Construction Dust

1-1

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. To reduce construction dust impacts, the San Francisco Board of Supervisors approved the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008). The intent of the Ordinance is to reduce the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, minimize public nuisance complaints, and avoid orders to stop work by the Department of Building Inspection (DBI). While implementation of the proposed Long Range Campus Plan (LRCP) is not required to comply with the Construction Dust Ordinance, *MM-AQ-1: Fugitive Dust* should be revised to include all measures from the Ordinance, such as the preparation of a Construction Dust Control Plan.

Enhanced Ventilation

1-2

The project proposes to construct new sensitive land uses (i.e., student housing) within an area that is located within an Air Pollutant Exposure Zone, as mapped and defined by Health Code Article 38. The Air Pollutant Exposure Zone identifies areas with poor air quality based on an inventory and modeling assessment of air pollution, exposures, and health vulnerability from mobile, stationary, and area source emissions within San Francisco. While the proposed LRCP is not required to comply with Article 38, as a best planning practice, LRCP should consider including enhanced ventilation for the new student housing units as outlined in Article 38.

Transportation Demand Management

1-3

The San Francisco Planning Department and the San Francisco Municipal Transportation Agency have partnered with the Mayor's Office of Economic and Workforce Development and the San

1-3
cont.

San Francisco County Transportation Authority to study the effects of implementing transportation demand management (TDM) measures on the choice of transportation mode. TDM measures typically target a reduction in single occupancy vehicle trips by encouraging persons to select alternative modes of transportation, including; walking, bicycling, public or private transit, car-share, carpooling and/or other alternative modes. In support of this effort, the Planning Department recommends that the LRCP consider adopting TDM measures as part of proposed project. The Planning Department's TDM checklist is attached to this letter.

Once again, we appreciate the opportunity to comment on your Draft EIR.

Sincerely,



Sarah B. Jones
Environmental Review Officer

Enclosure: TDM Checklist



SAN FRANCISCO PLANNING DEPARTMENT

Transportation Demand Management (TDM) Checklist Table: Private Development Projects

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

A. GENERAL PROJECT INFORMATION:

Date: _____

Project Name: _____ Case No: _____

Project Address and Block and Lot: _____

TDM Checklist Prepared By: _____ on Date: _____

Project Sponsor (name/phone/email): _____

B. CHECKLIST TABLE:

Suggested TDM Measure	Project Type	Selected
1 - TDM Coordinator		
The project sponsor should identify a TDM coordinator for the project site. The TDM Coordinator is responsible for the implementation and ongoing operation of all other TDM measures included in the proposed project. The TDM Coordinator could be a brokered service through an existing transportation management association (e.g. the Transportation Management Association of San Francisco, TMA SF), or the TDM Coordinator could be an existing staff member (e.g., property manager); the TDM Coordinator does not have to work full-time at the project site. However, the TDM Coordinator should be the single point of contact for all transportation-related questions from building occupants and City staff. The TDM Coordinator should provide TDM training to other building staff about the transportation amenities and options available at the project site and nearby.	All Projects	<input type="checkbox"/>
2 - Transportation and Trip Planning Information		

Suggested TDM Measure	Project Type	Selected
<i>Move-in packet:</i> Provide a transportation insert for the move-in packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This move-in packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.	Residential	<input type="checkbox"/>
<i>New-hire packet:</i> Provide a transportation insert for the new-hire packet that includes information on transit service (local and regional, schedules and fares), information on where transit passes could be purchased, information on the 511 Regional Rideshare Program and nearby bike and car share programs, and information on where to find additional web-based alternative transportation materials (e.g., NextMuni phone app). This new hire packet should be continuously updated as local transportation options change, and the packet should be provided to each new building occupant. Provide Muni maps, San Francisco Bicycle and Pedestrian maps upon request.	All employers not subject to <i>Planning Code</i> §163	<input type="checkbox"/>
<i>Posted and real-time information:</i> A local map and real-time transit information could be installed on-site in a prominent and visible location, such as within a building lobby. The local map should clearly identify transit, bicycle, and key pedestrian routes, and also depict nearby destinations and commercial corridors. Real-time transit information via NextMuni and/or regional transit data should be displayed on a digital screen.	Larger residential projects, employers, retail, hotels	<input type="checkbox"/>
<i>Current transportation resources:</i> Maintain an available supply of Muni maps, San Francisco Bicycle and Pedestrian maps.	Hotels	<input type="checkbox"/>
3 - Data Collection		
<i>City Access.</i> As part of an ongoing effort to quantify the	All projects	<input type="checkbox"/>

Suggested TDM Measure	Project Type	Selected
efficacy of TDM measures, City staff may need to access the project site (including the garage) to perform trip counts, and/or intercept surveys and/or other types of data collection. All on-site activities shall be coordinated through the TDM Coordinator. Project sponsor assures future access to the site by City Staff. Providing access to existing developments for data collection purposes is also encouraged.		
<p>TDM Program Monitoring. The project sponsor shall collect data and make monitoring reports available for review by the Planning Department. Ideally monitoring reports would be submitted biannually for eight years starting at 85 percent building occupancy.</p> <p>The monitoring report would include:</p> <ul style="list-style-type: none"> ▪ Trip Counts and/or Intercept Surveys ▪ Travel Diary or Stated Preference Survey ▪ Property Manager/Coordinator Survey ▪ Travel Demand Information <p><u>OR</u> comparable alternative methodology and components as approved or provided by City staff. If electing this measure, consult with Planning Department staff for further details.</p>	All projects (new development and/or existing buildings) not subject to <i>Planning Code</i> §§ 163, 304.5	<input type="checkbox"/>
4 - Bicycle Measures		
Bicycle Fleet: Provide and maintain a fleet of bicycles (and related amenities such as locks, baskets, lights, etc.) for use by the building occupants.	All projects, particularly on sites adjacent to Class I bicycle facilities	<input type="checkbox"/>
Parking: Increase the number of on-site secured bicycle parking beyond <i>Planning Code</i> requirements and/or provide additional bicycle facilities in the public right-of-way in on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).	All projects, particularly on sites adjacent to Class I bicycle facilities	<input type="checkbox"/>
Bay Area Bike Share: Project Sponsor shall cooperate with the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) and allow installation of a bike share station in the public right-of-way along the project's	All projects within the Bay Area Bike Share Service/Expansion Area	<input type="checkbox"/>

Suggested TDM Measure	Project Type	Selected
frontage.		
<i>Funding:</i> Within one year after Final Certification of Completion for the subject project, the project sponsor should contact in writing the San Francisco Municipal Transportation Agency, San Francisco Department of Public Works, and/or Bay Area Bike Share (agencies) to fund the installation of up to 20 new bicycle racks and/or one or more bike share station (bicycle facilities) on public right-of-way locations adjacent to or within a quarter mile of the project site (e.g., sidewalks, on-street parking spaces).	All projects within the Bay Area Bike Share Service/Expansion Area	<input type="checkbox"/>
<i>Membership:</i> Offer a 100 percent subsidy for one annual bike share membership for new employees or residents.	All projects within the Bay Area Bike Share Service/Expansion Area	<input type="checkbox"/>
5 - Carshare Measures		
<i>Parking:</i> Provide optional carshare spaces as described in <i>Planning Code</i> § 166(g)	All projects subject to <i>Planning Code</i> § 166	<input type="checkbox"/>
<i>Membership:</i> Offer one annual car share membership for each new resident (one per household) or employee. Recipient would be responsible for the remainder of the costs associated with the membership.	All residential projects, all employers	<input type="checkbox"/>
6 - Transit Measures		
Offer a 50 percent subsidy for one Muni monthly pass for new residents (one per household), and employees for up to one year. Recipient would be responsible for the remainder of the costs associated with the Muni monthly pass.	All residential projects, employers with fewer than 20 employees	<input type="checkbox"/>
Offer free Muni fast pass with hotel bookings.	Hotels	<input type="checkbox"/>
7 - Parking Measures		
Provide less than half the amount of vehicle parking spaces than permitted per the <i>Planning Code</i> .	All projects in locations subject to parking maximums.	<input type="checkbox"/>

COMMENT LETTER NO. 1: SAN FRANCISCO PLANNING DEPARTMENT

Response 1-1

The Draft EIR addresses construction-related dust impacts in Section 4.2, Air Quality, which begins on page 4.2-1. The commenter notes that although the proposed LRCP is not required to comply with the San Francisco Construction Dust Ordinance (Ordinance 176-08), MM-AQ-1, Fugitive Dust, should be revised to include all measures from the Ordinance, such as the preparation of a Construction Dust Control Plan. As stated beginning on Draft EIR page 4.2-20, UC Hastings would incorporate specific dust control measures that are compliant with Bay Area Air Quality Management District Best Management Practices (BAAQMD BMPs). The dust control measures listed in MM-AQ-1, on Draft EIR pages 4.2-20 through 4.2-21, currently incorporate elements required in San Francisco's Dust Control Plan, and are consistent with measures listed in Ordinance 176-08. These measures would be adopted as a minimum criteria, and alternative measures would be adopted as necessary to effectively control fugitive dust (Draft EIR pages 4.2-14 through 4.2-15 describe the requirements of the San Francisco Dust Control Ordinance).

As stated in MM-AQ-1, "Alternative measures may be identified by the construction contractor, as appropriate, provided that they are as effective as the following measures. Alternative measures shall be submitted to UC Hastings for approval."

Implementation of MM-AQ-1 would reduce fugitive dust impacts during construction to a less-than-significant level.

Response 1-2

CEQA does not require an analysis of the impact of existing environmental conditions on a project's future residents or users. Nonetheless, Draft EIR Section 4.2, Air Quality, page 4.2-15, describes San Francisco Health Code Article 38, noting for informational purposes that "If the air quality assessment indicates that the annual average concentration of PM_{2.5} at the site would be greater than 0.2 µg/m³, Health Code Section 3807 requires development on the site to be designed or relocated to avoid exposure greater than 0.2 µg/m³, or a ventilation system to be installed that would be capable of removing 80 percent of ambient PM_{2.5} from habitable areas of the residential units."

The commenter notes that while the proposed LRCP is not required to comply with Article 38 of the Health Code, as a best planning practice, UC Hastings should consider including enhanced ventilation for the new student housing, as outlined in Article 38. Article 38, if it applied to UC Hastings, would require the project sponsor to submit an Enhanced Ventilation Proposal for new campus housing associated with the LRCP. An Enhanced Ventilation Proposal achieves protection from PM_{2.5} equivalent to that associated with a Minimum Efficiency Reporting Value (MERV) 13 filtration, and requires approval by the Department of Public Health (DPH). As stated on Draft EIR page 4.2-13, UC Hastings is not subject to City and County of San Francisco

jurisdiction; however, as a best practice, UC Hastings would incorporate enhanced ventilation as part of new campus housing planned at 198 McAllister Street and 50 Hyde Street. The specific means of providing campus housing ventilation would be identified during later design phases of LRCP projects. Renovation of 100 McAllister Street would not include enhanced ventilation because of technical constraints for retrofitting mechanical systems in this designated historic structure. As noted previously, CEQA does not require an analysis of the impact of existing environmental (e.g., air quality) conditions on the future residents or users at 100 McAllister Street.

Response 1-3

Draft EIR Section 4.8 Transportation—beginning on page 4.8-1—addresses transportation impacts. The commenter notes that the LRCP should include adoption of Transportation Demand Management (TDM) measures as part of the proposed project, in support of the effort to target a reduction in single occupancy vehicle (SOV) trips. Although UC Hastings does not currently have a formal TDM program, as noted on Draft EIR page 4.8-16, UC Hastings currently maintains several transportation practices that are consistent with TDM measures, including unsubsidized employee parking, unbundled residential parking, employee commuter benefits, and an evening van service.

As stated on Draft EIR page 4.8-31:

Development under the LRCP would have less-than-significant impacts on traffic conditions. Nonetheless, while UC Hastings does not have a formal Transportation Demand Management (TDM) Program, it supports ways to minimize the number of single occupancy vehicle (SOV) trips generated by the LRCP by encouraging people to select other modes of transportation, including walking, bicycling, transit, carshare, UCSF shuttle use, carpooling, and other modes.

As part of LRCP projects, UC Hastings would develop a TDM program modeled on the University of California San Francisco's (UCSF) established TDM programs, as well as other local institutional examples. The following text regarding TDM is added as a new fourth paragraph on Draft EIR page 4.8-31:

UC Hastings would implement TDM to achieve a reduction in SOV trips and encourage use of alternative transportation modes. The program would be developed and implemented prior to the construction of new housing facilities. The TDM program may include, but would not be limited to, designating a TDM coordinator, trip planning assistance, an emergency ride home program, discounted Bay Area Bike Share memberships, coordinating with UCSF on shuttle stops and frequency, and/or discounted transit passes. The program would be developed for UC Hastings residents, faculty, and staff

As noted on Draft EIR page 4.8-16, UCSF residents at new UC Hastings housing would also be accommodated under the UCSF TDM programs. As discussed on Draft EIR page 4.8-23, the LRCP transportation analysis assumes the future use of the UCSF shuttle system by those residents.



Edwin M. Lee, *Mayor*

Tom Nolan, *Chairman*

Malcolm Heinicke, *Director*

Joél Ramos, *Director*

Edward D. Reiskin, *Director of Transportation*

Cheryl Brinkman, *Vice-Chairman*

Jerry Lee, *Director*

Cristina Rubke, *Director*

MEMORANDUM

DATE: May 6, 2016

FROM: Charles Rivasplata, SFMTA

TO: David Seward, UC Hastings College of the Law

RE: UC Hastings College of the Law Long Range Campus Plan Draft:
Comments on the Draft Environmental Impact Report (DEIR)

Staff at the SFMTA has reviewed the March 2016 Draft Environmental Impact Report (DEIR) for the UC Hastings College of the Law Long Range Campus Plan. Staff comments on the transportation-related items discussed in the DEIR are included below.

- 2-1 | Pages 4-8-12 and 4-8-13, UC Hastings and UCSF Shuttle Services. The existing connection between these two services is unclear. Please confirm that the UCSF Shuttle Services do not presently serve faculty and staff at UC Hastings.
- 2-2 | Page 4-8-16, Transportation Demand Management. It is strongly recommended that UC Hastings develop a formal Transportation Demand Management (TDM) program that provides ongoing services to students, faculty and employees of the campus. At a bare minimum, the sponsor should provide the following program components:
- Provision of TDM training for property managers and coordinators administering services;
 - Annual administration of a commuter survey to employees, faculty and students;
 - Development of bicycle safety strategies along Larkin Street and McAllister Street in the vicinity of the off-street public parking facilities, preventing conflicts with cars accessing the garage;
 - Provision of signage indicating the location of bicycle parking at points of access;
 - Provision of free or subsidized bikeshare membership to all employees, faculty and students;
 - Access to nearby carshare spaces through on-site signage;
 - Provision of free or subsidized carshare membership to all employees, faculty and students; and
 - Provision of free or subsidized Muni passes (loaded onto Clipper cards) to employees, faculty and students.
- 2-3 | Page 4-8-17, Table 4.8-5. How do these weekday midday occupancy figures for on-street parking compare with occupancy figures for the weekday morning and weekday evening periods?
- 2-4 | Page 4-8-35, Last Paragraph. The document should acknowledge that the sponsor will reimburse the SFMTA for any temporary restriping and signing changes needed during project construction.
- 2-5 | Page 4-8-36, First Paragraph. The sponsor should require that the construction company actively encourage their workers to travel to/from the project site via alternative modes to the car, including rideshare, transit, walking, or bicycling.

COMMENT LETTER NO. 2: SAN FRANCISCO MUNICIPAL TRANSPORTATION AGENCY

Response 2-1

The commenter notes that the description of the existing connection between the UC Hastings and UCSF shuttle services—in Draft EIR Section 4.8, Transportation, on pages 4.8-12 and 4.8-13—is unclear, and asks to confirm that the UCSF shuttle service does not currently serve UC Hastings faculty and staff.

The UCSF Shuttle Blue and Gold routes circulate between several UCSF sites, and pass by UC Hastings but do not presently stop at the UC Hastings campus. UCSF has agreed to add new stops at the UC Hastings campus at the time of occupancy of new UCSF housing. These shuttles would be available to both UCSF and UC Hastings populations, as noted on Draft EIR pages 4.8-22 and 4.8-23.

For clarity, the first full paragraph of Draft EIR page 4.8-13 is revised to read as follows:

Two UCSF shuttle routes currently pass by the UC Hastings campus, ~~but do not stop near the campus~~ but do not serve UC Hastings—the Blue route, which provides counterclockwise circulator service between the Mission Bay, Mount Zion, Parnassus, and San Francisco General Hospital campus sites, and the Gold route, which provides clockwise circulator service between the same locations. Each route operates at 20 minute headways approximately between 6:00 a.m. and 9:00 p.m.

Response 2-2

The Draft EIR discusses transportation-related impacts in Section 4.8 Transportation, beginning on page 4.8-1. The commenter recommends that UC Hastings develop a formal TDM program that would provide ongoing services to students, faculty, and employees of the campus. Please refer to Response 1-3 for a discussion of planned UC Hastings TDM programs.

Response 2-3

The commenter requests that information be included in Draft EIR Section 4.8, Transportation, page 4.8-17, regarding how weekday midday occupancy figures for on-street parking compare with occupancy figures for the weekday morning and weekday evening periods. For the Draft EIR analysis, existing weekday morning and evening parking occupancy data were not collected. Parking occupancy during weekday mornings and evenings was generally observed to be similarly high compared to midday occupancy. As noted on Draft EIR pages 4.8-1 and 4.8-16, parking-related impacts in a transit priority area is not a CEQA impact, and the Draft EIR presents parking data for context and informational purposes only.

Response 2-4

The commenter notes that the last full paragraph on Draft EIR page 4.8-35 should acknowledge that the sponsor will reimburse SFMTA for any temporary restriping and signing changes

needed during construction. UC Hastings would comply with applicable mandates, and would reimburse the SFMTA for any such actions.

Response 2-5

The commenter notes that the first full paragraph on Draft EIR page 4.8-36 should be amended to require construction companies to actively encourage workers to travel to and from the project site via modes of transportation other than SOVs.

UC Hastings would work with construction contractors for future LRCP development to encourage their workforce to travel to and from the project site via alternative modes, including, but not limited to, providing information packets about local and regional transit.

For clarity, the first full paragraph on Draft EIR page 4.8-36 is revised to read as follows:

The addition of the worker-related vehicle or transit trips would not substantially affect transportation conditions, as impacts on local intersections or the transit network would be temporary in nature. Construction workers who drive to the construction sites would cause a temporary increase in parking demand, and potential temporary parking restrictions along frontages where construction and/or staging are occurring would cause a temporary decrease in parking supply. Construction workers would park at the UC Hastings Parking Garage or at off-campus garages such as the Civic Center Parking Garage. In addition, UC Hastings would work with construction contractors for future LRCP development to encourage their workforce to travel to and from the project site via alternative modes, including, but not limited to, providing information packets about local and regional transit.

From: Dennis Hong [<mailto:dennisj.gov88@yahoo.com>]

Sent: Tuesday, May 10, 2016 1:46 PM

To: asberryasey@uchastings.edu; Seward, David

Cc: Wong Diane C.; Kim Jane (BOS); Jones Sarah (CPC); mayoredwinlee@sfgov.org; Board of Supervisors (BOS)

Subject: UC Hastings DEIR - Comments SCH - 2015122035

Good Morning Mr. Seward,

Thank you for the opportunity to provide comments to this most important Project - the UC Hastings Law School - document - SCH No. 2015122035 / DEIR University of California Hastings College of the Law Long Range Campus Plan-March 2016. As I mentioned to you that I sort of grew up in this neighborhood. I've been a resident of San Francisco for more than 70+ years. This included working at 450 Golden Gate Ave., 50 UN Plaza (50 UNP). I grew up along Market Street from The Ferry Building all the way up to Van Ness and Market.

3-1 I did not get a chance to review the earlier Initial Study, sorry for any redundant items or items outside the scope of the project. I trust this email meets your due date of May 9th, 2016 for my comments. With that said, I can say I know this area quite well, even shot some pool at several of the pool halls along Market Street, including attending some of the theater shows. I commend everyone for producing such a difficult and professional document - DEIR. One of my pet peeves in with these Projects is the lack of communication between the Developer and the Community, from the very beginning. Be reassured this DEIR and the UCHastings Law School is just the opposite of that. It shows and does a wonderful job in communicating and meetings with how this will visually impact the area. Your long range plans does a great job at preserving these assets in the community.

3-2 There are number of major projects going along Market Street and all the way from the Ferry Building up to the corner of Market and Van Ness. Specifically; 1066 Market Street, 1028 Market Street, the Mid Market (Arts) at 950-974 Market. Most recently the Asian Art Museum just announced plans for their expansion at the corner of Hyde and McAllister and down the street you have the Hiberina Bank. All exciting projects. Was wondering if they could be noted in this DEIR as reference? Only because your project will have a significant and positive impact as it will overlap during certain periods as these projects get rolling. This Project will greatly enhance this blighted area of the City. Mid Market has come a long way and it is getting even better with the support of the Board of Supervisors. If possible can the proposed detail, finishes and color be addressed in this DEIR for the new building/s? In many cases aesthetics are not considered and or is required as part of the CEQA process. But from my view point this would help with supporting the Project and in my opinion it would go a long way. I think CEQA at the present time is re-thinking this. All too often these proposed projects show a blank block structure and after all the approvals are done, it's too late and may even slow up the projects timeline if there is any opposition to the design, color and etc.. Either way the DEIR does an excellent job with it's visuals aids/graphics.

3-4 1. I was not to sure how the wind factors were created, but I know for a fact that at 450 Golden Gate and Larkin Street it gets very windy on this plaza.

3-5 2. Work with the Asian Art Museum at all costs to protect it's assets, I know they too will do whatever is needed to protect their assets from the construction work.

3-6 3. Would it be possible to show some of these projects and their time lines?

- 3-7 4. How will (if required in your case) will the housing - affordable issue be addressed? If required maybe a matrix showing; the required number of units vs the provided number of units. Will the existing house increase in the same building? In some cases the developer will provide more than the required units. But then I'm not sure how the cities required affordable housing plans will impact your Long Range Plans. But still an excellent job on your Student Housing plan.
- 3-8 5. Housing, even if its not student housing, will there be family units in the final build out?
- 3-9 6. On drawing 4.1.1, can the following sites be identified; 50 United Plaza Building-Federal Building, Asian Art Museum, The City Main Library, The California State Building.
- 3-10 7. Can the final EIR have a chart with the symbols/abbreviations used in the DEIR?
- 3-11 8. Will there be any displaced housing, businesses, etc.? If so, how will UC Hastings provided any support with relocation costs?
- 3-12 9. Will the Project have a POC Point of Contact person and a contact number if there are any concerns during the project?

I request that my comments be included in the final DEIR.

- 3-13 In closing, I fully support this Project, because:
- a. It will add great value to this over all area.
 - b. It will increase value and business to the local business that badly need this.
 - c. It will increase, consolidate and identify the badly needed housing that is one of the Mayor's top issues/programs.
 - d. Construction work. In most cases the term Best Practices are used for the Contractors to follow. All to often this does not work. Especially when it comes to; protecting the local restaurants, businesses, residents, traffic, pedestrians and etc. from construction work. More attention needs to be placed here - noise, vibration, toxic dust from the demo work. Especially with the Asian Art Museum that's right smack in the middle of it all at Hyde and McAllister.
 - f. The project itself will add jobs both before the project starts, during construction and after the project is completed.

The Planning Department, the San Francisco Board of Supervisors, especially district 3 and 6 have been very supportive of what is happening in this area. This DEIR speaks for it self and I fully support what UC Hasting Law School is up to with both its' Log Range Campus Plans and this DEIR. It shows that UC Hastings has shown in this DEIR that they have a Plan and have been very involved with the community and the environment they live in and will continue to do so.

Should there be any questions or if anyone has any question/s or need me to clarify this email further, I can be reached at dennisj.gov88@yahoo.com - Other than that once again I fully support your project and have done an excellent job with the DEIR.

All the Best, Dennis Hong

COMMENT LETTER NO. 3: EMAIL LETTER FROM MR. DENNIS HONG

Response 3-1

The commenter expresses support for the proposed LRCP, and does not address the content or adequacy of the Draft EIR. No further response is necessary.

Response 3-2

Pages 4.6-1 and 4.6-2 of Draft EIR Section 4.6, Land Use and Planning, discuss surrounding land uses in the UC Hastings vicinity. The commenter notes that there are a number of major projects in review, approved, or under construction, including 1066 Market Street, 1028 Market Street, 950–974 Market Street, the Asian Art Museum expansion, and the Hibernia Bank renovation. The commenter requests that those projects be referenced in the Draft EIR. For information, the following text is added as a new third full paragraph on Draft EIR page 4.6-2:

Other proposed, approved, or under construction projects in the UC Hastings vicinity and Mid-Market area include a residential project at 101 Hyde Street; a hotel-retail-residential project at 950–974 Market Street; residential-retail projects at 1028 Market Street and 1066 Market Street; renovation of the historic Hibernia Bank building at McAllister Street and Jones Street, near Market Street; and the expansion of the Asian Art Museum at Hyde Street and McAllister Street.

The Draft EIR addresses other foreseeable development in the UC Hastings vicinity under the Cumulative Impacts heading on page 4.6-12 as follows:

Cumulative land use impacts are evaluated in the context of existing and reasonably foreseeable future development in the vicinity of UC Hastings, as well as applicable land use policies that guide future development in the area. Reasonably foreseeable future development could result in a noticeable change in the surrounding area in terms of increasing the number of people in the vicinity of the campus. Approximately 12 residential and mixed-use projects are under review, approved, or under construction within a three-block radius of UC Hastings. However, these developments would not alter the overall land use pattern of the Civic Center or Tenderloin areas beyond what is currently permitted under applicable local plans and codes.

The 12 or more potential projects in the vicinity are in different stages of review, approval, or construction, but would be part of the cumulative conditions expected to occur during development of LRCP projects.

The commenter also states that the LRCP would have a significant and positive impact on those projects and on the Mid-Market area. That comment expresses support for the proposed LRCP, and does not address the content or adequacy of the Draft EIR.

Response 3-3

The Draft EIR discusses visual impacts in Section 4.1, Aesthetics, which begins on page 4.1-1. The commenter states that the Draft EIR does an excellent job with visual aids/graphics, and inquires if the proposed detail, finishes, and color for new buildings can be addressed to help support the project.

As noted on Draft EIR pages 4-2, 4-3, and 4.1-1, Public Resources Code Section 21099(d), added by Senate Bill 743, determined that aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site located within a transit priority area are not considered significant impacts on the environment. The Draft EIR discusses aesthetic impacts for informational purposes, and as stated on page 4.1-15, “because design-build considerations for LRCP development projects are not anticipated to occur until 2017, a full-site rectangular massing was used to present aesthetic effects of all potential projects.”

Response 3-4

Draft EIR Section 4.10, Wind—which begins on page 4.10-1—describes existing pedestrian-level wind conditions in the UC Hastings vicinity. The commenter notes that there are noticeable existing wind conditions at the Phillip Burton Federal Building Plaza at 450 Golden Gate Avenue (Phillip Burton Plaza). Wind conditions at Phillip Burton Plaza are specifically addressed on Draft EIR pages 4.10-11 and 4.10-12. Figures 4.10-1: Pedestrian Wind Comfort Conditions – Existing, on page 4.10-4, and 4.10-5: Pedestrian Wind Hazard Conditions – Existing, on page 4.10-8 also show locations of existing wind comfort and wind hazard exceedances in the vicinity; the southeast corner of Phillip Burton Plaza experiences a wind hazard exceedance under existing conditions. Development under the LRCP would have a less-than-significant effect on hazardous wind conditions at Philip Burton Plaza, as noted on Draft EIR page 4.10-12.

Response 3-5

Draft EIR Section 4.7, Noise, discusses potential construction-related vibration effects on nearby structures. The commenter notes that UC Hastings should work with the Asian Art Museum to protect its assets during construction. The Asian Art Museum occupies the Larkin-Fulton-Hyde-McAllister block, near UC Hastings sites on Golden Gate Avenue and McAllister Street. MM-NO-3, Construction Vibration Reduction, beginning on Draft EIR page 4.7-23, includes measures such as operating earth-moving equipment as far away from vibration-sensitive receptors as possible, prioritizing use of smaller, lighter-duty equipment, and phasing demolition and ground-disturbing activity to reduce potential impacts on sensitive receptors in the vicinity. With implementation of MM-NO-3, vibration impacts on sensitive receptors or structures in the vicinity, including the Asian Art Museum, would be less than significant.

Response 3-6

Please see Response 3-2, which discusses cumulative development in the UC Hastings vicinity. The Draft EIR includes information on land use patterns, and concludes that development under the LRCP would have less-than-significant impacts on land use character.

Response 3-7

The Draft EIR discusses housing impacts in Chapter 3, Project Description—which begins on page 3-1—and on page 53 of Initial Study Section 5.13, Population Housing, included as Draft EIR Appendix A. The commenter asks how affordable housing will be addressed.

As described in Draft EIR Chapter 3, Project Description, beginning on page 3-4, the LRCP would include between 660 and 1,240 campus housing units for use by UC Hastings and UCSF students and staff. All units would be dedicated to campus housing, and would not include any other public or private market-rate residential uses. Therefore, the Draft EIR does not discuss affordable housing further.

Response 3-8

The Draft EIR discusses housing information in Chapter 3, Project Description, which begins on page 3-1. Campus housing developed under the LRCP would be primarily single units, but may include some family units. Please also see Response 3-7 regarding housing development under the LRCP.

Response 3-9

The Draft EIR discusses visual impacts in Section 4.1, Aesthetics, which begins on page 4.1-1. The commenter inquires if the 50 United Nations Plaza Building, Asian Art Museum, Main Library, and the California State Building can be shown on Figure 4.1-1: Viewpoint Locations. Figure 4.1-1 has been revised to denote the aforementioned buildings, and is included in Section 2 herein.

Response 3-10

The commenter inquires if the Final EIR can have a table listing the abbreviations used throughout the Draft EIR. The comment is noted. The Draft EIR provides the full spelling of acronyms where terms are first introduced.

Response 3-11

The Draft EIR discusses housing impacts in Chapter 3, Project Description, which begins on page 3-1, and on page 53 of Initial Study Section 5.13, Population Housing, included as Draft EIR Appendix A.

As stated on page 54 of the Initial Study, the LRCP would not displace existing housing or people. The LRCP would add new campus housing for use by the student body, and would be expected to reduce the demand placed on the local housing market by students who would otherwise seek market-rate housing in the vicinity. Please also see Response 3-7 for information regarding LRCP housing.

Response 3-12

The commenter asks if UC Hastings would have a point of contact for concerns about LRCP projects. As stated on Draft EIR pages 4.7-16 and 4.7-23, UC Hastings would designate a public liaison who would be responsible for addressing public concerns about LRCP construction activities. This liaison would also act as a community outreach coordinator to address resident-specific needs regarding the LRCP as they arise during implementation. UC Hastings would identify the designated liaison and provide contact information prior to construction activities.

Response 3-13

The comment expresses support for the proposed LRCP, and does not address the content or adequacy of the Draft EIR. No further response is necessary.

From: John-Francis <johnfrancispepka@comcast.net>

Date: May 10, 2016 at 8:21:09 PM PDT

To: sewardd@uchastings.edu

Subject: Redevelopment plan - Long Term

This is in response to the Project titled "University of California Hasting College of the Law Long Range Campus Plan".

My name is John-Francis Pepka and I reside at 324 Larkin St. Apt 22, San Francisco, CA 94102.

4-1 | I am deeply concerned about the environmental impact of this plan, the nighttime construction noise and vibration that as stated would be unavoidable. I am a Viet Nam combat veteran who is very sensitive to noise. It is a side effect of jungle combat fighting. Even now at the age of 76 I still am awoken by a sharp sound or an abrupt vibration/ movement. I am being treated for P.T.S.D at the Veterans Clinic and take medication for this.

4-2 | In addition to this "Vibrations" would create a Earthquake survival response. When the Asian Art Museum was built The entire building was sandblasted without any protective covering or masking. I at that time lived at 560 Mcallister Street and I was exposed to the pollutants from that action for 2 years.

4-3 | The air in our neighborhood is filed with car/truck fumes. When your project begins there will be a loop of traffic down Golden Gate Avenue, down Jones St. up McAllister and up Larkin for the entire length of the project. This will only add more pollutants into the air, more noise and more grid lock. I am homebound, disabled and on oxygen due to respiratory problems This situation is of great concern to me.

John-Francis Pepka

COMMENT LETTER NO. 4: EMAIL LETTER FROM MR. JOHN-FRANCIS PEPKA

Response 4-1

Draft EIR Section 4.7, Noise—which begins on page 4.7-1—addresses noise and vibration impacts. The commenter notes concerns about the nighttime construction noise and vibration that the Draft EIR found would be significant unavoidable adverse effects. The commenter notes that he is a Vietnam veteran who is sensitive to noise and is concerned that vibrations could create an “earthquake survival response.”

The Draft EIR addresses nighttime construction noise and vibration effects. Regarding nighttime construction noise effects, Draft EIR page 4.7-16 states:

It is anticipated that construction activity would generally only occur between 7:00 a.m. and 8:00 p.m. However, certain construction activities may be necessary between 8:00 p.m. and 7:00 a.m. Occupants at nearby residences and hotels would be sensitive to increased nighttime noise. MM-NO-1, Noise Reduction, would help control exposure to nighttime noise. Due to lower ambient noise levels at nighttime than daytime, it is anticipated that nighttime construction noise could be audible and could interfere with sleep activity at residences and hotels. If necessitated by construction schedules, these conditions could occur during excavation, foundation, or structural work phases between 8:00 p.m. and 7:00 a.m. Nighttime construction activity, if any, once a building shell was complete, would not be expected to generate noise levels that would interfere with sleep. Because some nighttime construction activities could exceed ambient noise levels at the property line of the site by 5 dBA, they are conservatively judged to be significant unavoidable environmental impacts.

MM-NO-1, on Draft EIR page 4.7-16, reads as follows:

UC Hastings shall designate a dedicated public liaison who shall be responsible for addressing public concerns about construction activities, including excessive noise and vibration. The public liaison shall determine the cause of the concern and shall work with the construction contractor to implement feasible, reasonable measures to address the concern.

If nighttime construction activity between 8:00 p.m. and 7:00 a.m. is required, UC Hastings shall ensure that advance notice is provided to residences and hotels within 300 feet of the construction site.

The Draft EIR found that nighttime construction noise impacts would be significant and unavoidable impacts; UC Hastings anticipates that construction activity would generally only occur between 7:00 a.m. and 8:00 p.m. MM-NO-1, Noise Reduction, would implement strategies to help control exposure to nighttime noise. The Draft EIR also notes that any nighttime construction activity that occurs after a building shell is complete would not be expected to

generate noise levels that would interfere with sleep because activities would occur within the building and would be attenuated by the building walls.

Vibration impacts are discussed beginning on Draft EIR page 4.7-21. As stated on page 4.7-22 of the Draft EIR, while daytime construction activity would generate vibration levels that exceed the annoyance threshold of 80 VdB, UC Hastings would implement MM-NO-3, Construction Vibration Reduction, which would designate a public liaison to address public concerns, prioritize the use of lighter-duty equipment and operation of earth-moving equipment as far away from vibration-sensitive receptors as possible, and phase demolition and ground-disturbing activity to reduce occurrences in the same time period. Implementation of MM-NO-3 would reduce daytime vibration to a less-than-significant level.

As discussed in Responses H1-1 and H1-3, and in Chapter 1 of this Response to Comments document, since Draft EIR publication, UC Hastings has further reviewed potential nighttime construction activities that would occur with LRCP development, and would limit nighttime construction such that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Nighttime construction would only be conducted in the event that construction activities were necessary to maintain a reasonable project schedule, or to conduct construction activities requiring continuous operation (e.g., concrete foundation pouring).

Therefore, with revised mitigation to ensure that this vibration threshold would be avoided, nighttime construction activity associated with 333 Golden Gate Avenue would result in a less-than-significant vibration-related impact. Chapter 2 of this Response to Comments document includes the updated nighttime construction vibration impact and mitigation text.

Response 4-2

Draft EIR Section 4.2, Air Quality — which begins on page 4.2-1 — addresses air quality impacts. The commenter notes that when the Asian Art Museum was built, the building was sandblasted without protective measures, and he states that he was exposed to air pollutants during that time period.

Draft EIR page 4.2-20 includes MM-AQ-1, Fugitive Dust, which would be implemented to reduce air quality impacts related to construction dust and construction equipment emissions to a less-than-significant level. MM-AQ-1 would require compliance with BAAQMD BMPs to reduce adverse air quality impacts. MM-AQ-1 would include specific construction mitigation measures related to dust control and vehicle and equipment use, reducing fugitive dust and emissions. With implementation of MM-AQ-1, impacts would be less-than-significant. MM-AQ-1 also states:

A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and

take corrective action within 48 hours. The BAAQMD phone number will also be visible to ensure compliance with applicable regulations.

Response 4-3

The commenter notes that the current air quality in the neighborhood contains automobile fumes, and LRCP construction would create further traffic and vehicle emissions.

Please see Response 4-2, which is related to construction air quality impacts, which were found to be less-than-significant. In addition, Draft EIR pages 4.2-28 to 4.2-31 include health risk assessment, toxic air contaminant, and carbon monoxide hot spot analyses related to LRCP construction activities. The Draft EIR found that construction health risk and carbon monoxide hot spot effects from LRCP construction would be less-than-significant.

From: Greg Fry <g.frydancer@gmail.com>

Date: May 10, 2016 at 9:55:20 PM PDT

To: sewardd@uchastings.edu

Subject: Construction Project Comments - 324 Larkin St resident

Dear Mr. Seward,

I apologize for the tardiness of this email, however, I only today returned from a trip out of the country and thought that perhaps it is better late than never to add my thoughts for your review.

5-1 | Having been a resident of 324 Larkin Street during the construction of the neighboring parking structure I well remember the disruption to routine that was created by the project. That construction was limited to day time work only and still created quite a nuisance with early morning starts, movements of equipment and construction materials.

5-2 | The project that UC Hastings is undertaking on the lot adjacent to the parking structure will create a similar cacophony, which will only be made worse by the fact that work will, apparently, proceed through the night. The sleep disruptions which occur now when there is a community event in that location are already significant. Replacing those noise levels with construction noises will most certainly be more disruptive particularly for those of us who live in the rear facing apartments.

I would ask that nighttime construction be curtailed or eliminated as a courtesy to those of us who live adjacent to the project. Failing in that I would certainly appreciate consideration in the form of monetary compensation to balance the aggravation caused by the noise, vibration, dirt and dust which is a likely result of this UC Hastings project.

Thank you for your consideration and. again, please accept my apologies for the lateness of these comments.

Sincerely,

Gregory A. Fry

324 Larkin St

#4

San Francisco, CA 94102

415-558-0469

COMMENT LETTER NO. 5: EMAIL LETTER FROM MR. GREGORY A. FRY

Response 5-1

Draft EIR Section 4.7, Noise—which begins on page 4.7-1—discusses noise and vibration impacts. The commenter notes that construction of the UC Hastings Parking Garage created significant disruptions from noise, vibration, dirt, and dust throughout the construction period for residents of adjacent buildings. While the comment does not directly address the content or adequacy of the Draft EIR, please see Response H1-1 regarding construction noise and vibration impacts related to LRCP development.

As discussed in Response H1-1 and in Chapter 1 of this Response to Comments document, since Draft EIR publication, UC Hastings has further reviewed potential nighttime construction activities that would occur with LRCP development, and would limit nighttime construction such that any nighttime construction activities during the 8:00 p.m. to 7:00 a.m. period would not exceed 80 VdB at residential land uses. Therefore, with revised mitigation to ensure that this vibration threshold would be avoided, nighttime construction activity associated with 333 Golden Gate Avenue would result in a less-than-significant vibration-related impact. Chapter 2 of this Response to Comments document includes the updated nighttime construction vibration impact and mitigation text.

Daytime construction noise effects are addressed on Draft EIR pages 4.7-13 to 4.7-19. Draft EIR page 4.7-15 acknowledges that construction noise resulting from operation of multiple pieces of equipment could exceed the 80 dBA L_{eq} threshold, and that Mitigation Measure MM-NO-1, Noise Reduction, “would ensure that noise associated with daytime construction activity would result in a less-than-significant impact.”

Draft EIR Section 4.2, Air Quality—which begins on page 4.2-1—discusses construction dust effects on pages 4.2-20 to 4.2-23. Draft EIR page 4.2-20 states:

The BAAQMD does not have quantitative thresholds for fugitive dust. Instead, the threshold is based on compliance with best management practices (BMPs). Unmitigated fugitive dust could significantly affect local and regional PM_{10} levels, which would result in health impairment due to the inhalation of dust. Mitigation Measure (MM)-AQ-1 would require compliance with BAAQMD BMPs. Therefore, with implementation of MM-AQ-1, Fugitive Dust, construction of 333 Golden Gate Avenue would result in a less-than-significant impact related to fugitive dust emissions.

Response 5-2

Draft EIR Section 4.7, Noise—which begins on page 4.7-1—discusses noise and vibration impacts. The commenter notes that development of the 333 Golden Gate Avenue building would create similar construction noise concerns as those described in Comment 5-1 during the garage construction. The commenter requests nighttime construction be curtailed or eliminated.

Please see Response H1-1 and Response 5-1 regarding construction noise and vibration impacts; UC Hastings commits to limiting potential nighttime construction vibration effects.

The commenter also requests monetary compensation for aggravation caused by noise, vibration, dirt, and dust impacts. The comment is noted. The comment does not directly address the content or adequacy of the Draft EIR.

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** UCSF – UC Hastings Campus Housing –
Predevelopment Agreement and Project Update

- 3. RECOMMENDATION:**

That the Board of Directors authorize execution of the attached predevelopment agreement with UCSF to develop and/or renovate campus housing to support their programs in San Francisco on one or more sites currently owned by UC Hastings.

- 4. BACKGROUND:**

The attached predevelopment agreement provides a timeline and cost sharing protocols for the development of new campus housing at 198 McAllister and rehabilitation and seismic upgrading of 100 McAllister. This draft is currently undergoing an additional round of legal review by UCSF in-house counsel; updates, if any, will be presented to the Board at its meeting.

- 5. RESOLUTION:**

That the Board of Directors authorize execution of the predevelopment agreement with UCSF to develop and/or renovate campus housing.

AGREEMENT BY AND BETWEEN
UNIVERSITY OF CALIFORNIA HASTINGS COLLEGE OF THE LAW
AND
THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, ON BEHALF OF ITS SAN FRANCISCO
CAMPUS

This agreement ("Agreement") is entered into effective as of _____, __ 2016 (the "Effective Date") by and between The Regents of the University of California ("The Regents"), on behalf of its San Francisco campus ("UCSF"), and University of California, Hastings College of the Law ("UC Hastings") (each a "Party" and together the "Parties").

RECITALS

WHEREAS, UCSF and UC Hastings propose to develop and/or renovate campus housing to support their programs in San Francisco on one or more sites currently owned by UC Hastings and used for academic and/or campus housing purposes.

WHEREAS, UCSF and UC Hastings have executed a non-binding letter of intent for preparation of an agreement for a venture, , between UCSF and UC Hastings for, inter alia, the development of campus housing for the use of UCSF and UC Hastings.

WHEREAS, upon completion of environmental and feasibility reviews, and subject to The Regents and the Board of Directors of UC Hastings approvals, UCSF and UC Hastings propose to enter into an agreement or agreements for a business transaction between the Parties for development and/or renovation and occupancy of campus housing on UC Hastings' site(s), and the proposed project(s) may include replacement of existing UC Hastings academic and multipurpose space, which is currently located on a potential campus housing development site.

WHEREAS, prior to the formation of any development and occupancy agreements which if entered into would supersede this Agreement, , UCSF and UC Hastings wish to identify the scope and share the costs of certain pre-development phase work.

NOW, THEREFORE, the two parties hereby agree as follows:

I. PROJECT SPONSORSHIP

UCSF and UC Hastings shall be co project sponsors for purposes of this pre-development phase. The governance structure, allocation of housing units between UCSF and UC Hastings, any re-allocation of costs shared under this Agreement, and potential sharing of future costs associated with the actual development and/or renovation will be established as part of any successor agreement or agreements

II. TERM OF AGREEMENT & SCHEDULE

Unless this Agreement is terminated earlier pursuant to either Article IX or Article XIII of this Agreement,

the term of this Agreement shall be for two (2) years commencing on the Effective Date thereof. The anticipated schedule for the pre-development phase, which is the Parties' good faith estimate only, is attached hereto as Exhibit A.

III. CONSULTANT / SERVICE PROVIDER SELECTION AND ROLES

The initial list of potential consultants and service providers to be engaged during this pre-development phase may include, without limitation, the following categories and with the following general roles and responsibilities. All of the consultants and service providers are independent contractors, with the exception of the Program Manager who is a UCSF employee.

Consultant/Service Provider	Role and responsibilities
1. Real Estate Advisor	Advises on various P3 options, both financial and developer-related during the pre-development phase, including RFQ process.
2. Legal Counsel	Provides legal advice in structuring the venture between UCSF and UC Hastings and, eventually, in reviewing the legal merits/risks of developer projects proposed in the RFQ process.
3. Program Manager	Develops and maintains all necessary management processes and controls for the budget, contracts, schedule, and project issues. Plans for and obtains project approvals, where needed. This function is to be performed by an employee of UCSF.
4. Architect	Provides architectural, planning and programming services to help prepare the project for design prior to the issuance of the RFQ.
5. Peer Review Panel	Shares their opinion in evaluating RFQ responses based on their areas of housing development expertise.
6. Structural Engineer	Provides Tier 3 seismic evaluation scoping of project considered for renovation.

UCSF and UC Hastings may add additional consultants and service providers as mutually agreed to. UCSF and UC Hastings will cooperate to jointly select and agree on the parties that will serve in each of these consultant roles. The above-referenced consultant and service provider contracts will be engaged in by UCSF in accordance with The Regents of the University of California's statutory obligations and in accordance with its policies

IV. COST SHARING

UCSF and UC Hastings agree to equally share (50%/50%) the reasonable and actually incurred costs of the services properly provided by each consultant engaged pursuant to their respective agreements. UCSF's and UC Hastings' final share of all development, environmental, planning, and any other project related costs, excluding costs shared under this Agreement, will be determined as part of any successor agreement or agreements.

V. APPROVED BUDGET

The initial approved budget for the costs of pre development phase services provided by the consultants and service providers listed above and prior to formation of any successor agreements is attached to this Agreement as Exhibit B, along with each Party's share of the budgeted cost for each line item. Each Party's obligation to pay or reimburse costs under this Agreement shall not exceed such Party's share of the budgeted costs for each line item as designated in Exhibit B unless the Parties mutually agree in writing to a revised approved budget reflected via a written amendment to this Agreement. Each Party shall bear its own internal overhead and any internal recharge costs; excepting, however, that the cost of UCSF's internal Program Manager, Beth Piatnitzka, designated in Exhibit B, shall be a shared cost under this Agreement.

VI. ACCOUNTING & PAYMENT

The costs to be shared by UCSF and UC Hastings under this Agreement shall include only the reasonable and actual costs of services provided by each consultant / service provider that is properly billed, invoiced and incurred on or after July 1, 2016.

Service contracts issued in support of consultants / service provider retained under this Agreement will be processed and awarded by UCSF, according to the laws and policies specifically applicable to UC, and such service contracts shall be let only upon the consultation and with the consent of UC Hastings, which consent shall not be unreasonably withheld.

Payments, upon review and approval by the Program Manager, for services provided by consultants/service providers will be made by UCSF based on its policies and procedures.

The Parties agree to meet at least quarterly for an accounting and truing up of costs and reimbursements related to the consultant team services and service contracts issued under this Agreement. Additionally, a statement, which lists the actual costs incurred by each Party, the prior reimbursement amounts paid by one Party to the other Party, and the current reimbursement amount due to each Party, if any, shall be prepared by UCSF, and shall be signed by an authorized official, employee or agent certifying that the expenditures claimed represent the actual costs for the consultant services or service contracts provided under this Agreement, that the invoices correctly reflect the tasks completed to the best of UCSF's knowledge, the invoices identify the billing and/or performance period covered by the statement, and the invoices include an itemized cost breakdown of the amount spent to date and contract balance remaining.

After review and approval of the quarterly statement by UC Hastings, payment to UCSF reimbursing UCSF for UC Hastings' share of cost as described in IV. Cost Sharing will be made within 30 days.

VII. ADDITIONAL CONSULTANT SERVICES/OTHER AMENDMENTS

No changes to the consultants and service providers, the services to be provided, and/or the cost sharing

percentages listed under III. Consultant and IV. Cost Sharing above shall be made unless mutually agreed to in writing and executed by both Parties and attached to this Agreement by Amendment. Any and all amendments to this Agreement must be in writing and executed by both Parties.

VIII. OWNERSHIP OF WORK PRODUCT

All documents and information obtained from and prepared by consultants under each Consultant Agreement and/or Service Contract, as applicable, including, but not limited to, drawings, plans, reports, financial analyses, notes, correspondence and other similar documentation (collectively “Work Product”) shall become the property of both UCSF and UC Hastings. Each Party shall have the right, in its sole discretion, to use, modify, or duplicate the Work Product for purposes reasonably connected with the proposed project(s) described under the Recitals above. Each Consultant Agreement or Service Contract shall incorporate the terms of this Article VIII into the respective Consultant Agreement or service Contract.

IX. TERMINATION

In the event that either Party fails to carry out or to comply with any of the terms and conditions of this Agreement, the other Party may provide written notice to the defaulting Party demanding correction of any breach or default within ten (10) calendar days. In the event that the defaulting Party fails to correct the breach or default within this time period, the other Party may terminate this Agreement by providing thirty (30) days’ written notice to the defaulting party. Failure to terminate this Agreement shall not be deemed a waiver of the breach or default. In the event that this Agreement is terminated pursuant to this clause, a final statement listing through the date of termination the actual costs incurred by each Party, the prior reimbursement amounts paid by each Party to the other Party, and the final reimbursement amount due to each Party, if any, as described under V. Accounting and Payment above will be prepared within ten (10) days after the termination date. UC Hastings will pay any final reimbursement amounts to UCSF within thirty (30) days after preparation of the final statement.

X. EXAMINATION OF RECORDS

Each Party shall have access to and the right to examine and audit any books, documents, papers, and/or records of the other Party involving this Agreement during the term of this Agreement and for a period of three (3) years following its termination.

XI. COORDINATION

UCSF and UC Hastings will coordinate the pre-development phase, including, but not limited to, selecting and engaging consultants and service contractors, managing work performed by consultants and service contractors, and reviewing and approving work completed by consultants and service contractors. The primary contact for each Party for purposes of this coordination is as follows:

For UCSF:
Clare Shinnerl, Associate Vice Chancellor
UCSF Campus Life Services
654 Minnesota Street, 2nd Floor
San Francisco, CA 94143-0286

For UC Hastings:
David Seward, Chief Financial Officer
University of California Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

Each Party will immediately inform the other Party of any unusual conditions or events that relate to, or may affect, the work to be performed under this Agreement. Both Parties agree to meet on a regular basis to review the progress of the work to be performed under this Agreement and any unanticipated problems or issues.

XII. INDEMNIFICATION AND INSURANCE

Each Party (the “Indemnifying Party”) shall defend, indemnify, and hold the other Party’s faculty, officers, employees, students, and agents harmless from and against any and all liability, loss, expense (including reasonable attorney’s fees), or claims for injury or damages arising out of the performance of this Agreement, but only in proportion to and to the extent such liability, loss, expense, attorney’s fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the Indemnifying Party, its faculty, officers, employees, students, or agents.

Both Parties shall maintain general liability coverage or a program of self-insurance concerning its activities in connection with this Agreement. Both Parties shall maintain sufficient insurance to meet its indemnification and other liability obligations described in this Agreement. Each Party shall provide a copy of its certificate on insurance to the other Party upon request. Coverage shall be verified by presentation of acceptable proof of insurance. All insurance required under this Agreement is to be provided by carriers with a Best rating of A-10 or better. Carriers must also be California admitted companies listed as such by Insurance Commissioner for the State of California.

XIII. EXCUSABLE DELAY

Either Party shall promptly notify the other Party, in writing, of any situation or event arising from circumstances beyond its control, which it could not have reasonably foreseen, and which makes the performance of any, a part of or all of a Party’s obligations under this Agreement impossible (“Force Majeure”). Upon notification of the occurrence of such a situation or event, the Parties will negotiate and agree on a reasonable extension of time for performance of this Agreement. If the Parties cannot reach agreement on such extension of time, either Party may elect to terminate this Agreement by providing ten (10) days’ written notice to the other Party. In the event that the Agreement is terminated, a final statement listing through the date of termination the actual costs incurred by each Party, the prior

reimbursement amounts paid by each Party to the other Party, and the final reimbursement amount due to each Party, if any, as described under V. Accounting and Payment above will be prepared within thirty (30) days after the termination date. The appropriate Party will pay any final reimbursement amounts to the other Party within thirty (30) days after preparation of the final statement.

XIV. APPLICABLE LAW

The laws of the State of California shall govern this Agreement.

XV. DISPUTES

In the event of any dispute arising between the Parties under this Agreement or concerning the rights and liabilities of the Parties hereto, the aggrieved Party shall serve written notice upon the other Party regarding the existence of a dispute, whereupon the matter shall be submitted to a non-binding decision of a single arbitrator, agreed, upon by the parties. Unless the parties cannot reach agreement regarding the appointment of the arbitrator with sixty (60) days from the date of service of written notice of the dispute, said arbitration shall be a condition precedent to any action at law.

XVI. NOTICE

All notices required or permitted under this Agreement shall be in writing and may be served by depositing the same in the United States mail, postage prepaid and registered, and addressed to the parties at the addresses set forth below, or to such other address as either Party may designate in writing from time to time by giving notice to the other Party as described herein.

If to UCSF:

Clare Shinnerl, Associate Vice Chancellor
UCSF Campus Life Services
654 Minnesota Street, 2nd Floor
San Francisco, CA 94143-0286

with a copy to:

Kelly Drumm, Senior Counsel
Christine Haas, Senior Counsel
Office of General Counsel
University of California, Office of the President
111 Franklin Street, 8th Floor
Oakland, CA 94607

If to UC Hastings:

David Seward, Chief Financial Officer
University of California Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

with a copy to:

Elise Traynum, General Counsel
University of California Hastings College of the Law
200 McAllister Street
San Francisco, CA 94102

XVII. CONFLICT OF INTEREST

Each Party will not hire any employee of the other Party to perform any services related to this Agreement without the consent of the other Party.

Each Party affirms that to the best of such Party's knowledge, there exists no actual or potential conflict between such Party's family, business or financial interests and the objectives of this Agreement and in the event of any change in such circumstances will inform the other Party of any questions regarding possible conflicts of interest that may arise as a result of such change in circumstances.

XVIII. NON-ASSIGNMENT

This Agreement is not assignable or delegable by either Party.

XIX. CONFIDENTIALITY

Each Party shall use its best efforts to keep confidential a) any information produced or created by under this Agreement including but not limited to test results, sampling results, data, plans and reports; b) any information provided by the other Party and marked "Confidential Information"; or c) any oral information conveyed to such Party by the other Party and followed by a written communication within thirty (30) days that says such information shall be considered Confidential Information. In the event that a Party determines that it has a legal obligation to disclose such Confidential Information pursuant to a third party demand whether through legal intervention or pursuant to the California Public Records Act, such Party shall notify the other Party in writing of its receipt of such demand and of such Party's determination that it has a legal obligation to disclose Confidential Information. Such Party shall not disclose any such Confidential Information until at least ten (10) days from the date of receipt by the other Party of such Party's written notice. This nondisclosure provision shall not apply to any of the following: 1) information which a Party can demonstrate by written records was known to it prior to the Effective Date; 2) information that is currently in, or in the future enters, the public domain other than through a breach of this Agreement or through other acts or omissions of a Party; or 3) information that is obtained lawfully

from a third party.

XX. SURVIVAL

The provisions of this Agreement, which by their nature survive expiration or termination of the Agreement, shall remain in full force and effect after any expiration or termination of this Agreement until the earlier of the following: a) all of the requirements and obligations of any such provision have been fulfilled; or b) the specified period for survival of any such provision has expired, or, if no such period is specified, three (3) years after any expiration or termination of this Agreement.

XXI. ENTIRE AGREEMENT

This Agreement and the exhibits hereto, constitute the entire agreement between the Parties and no Party shall be liable or bound to the other in any manner except as set forth in this Agreement.

SIGNATURE PAGE

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
UNIVERSITY OF CALIFORNIA SAN FRANCISCO
CAMPUS LIFE SERVICES DEPARTMENT

Clare Shinnerl

Approved as to form

By: _____
Christine Haas Georgiev
Senior Campus Counsel

UNIVERSITY OF CALIFORNIA
HASTINGS COLLEGE OF THE LAW

David Seward

Approved as to form

By: _____
Elise Traynum
General Counsel

EXHIBIT A

ANTICIPATED SCHEDULE

Calendar Year

Task	Timing
1. Identify and engage project consultants and service providers	Third Quarter 2016
2. Perform feasibility reviews of project delivery and financing models	Third Quarter 2016 – Fourth Quarter 2016
3. Negotiate and execute business and legal structure between UCSF and UC Hastings	Fourth Quarter 2016
4. Decide on RFQ scope and project structure (will renovation + new development be issued as an RFQ for one project, two projects, or will developers have a choice)	Fourth Quarter 2016
5. Finalize program scenarios	Fourth Quarter 2016
6. Prepare and issue RFQ for the project(s)	Fourth Quarter 2016
7. Evaluate RFQ responses and select RFO recipients	First Quarter 2017
8. Prepare and issue RFO	Second Quarter 2017
9. Evaluate RFO responses, including with peer review group.	Third Quarter 2017
10. For all of the above, account for any UC Regental & UC Hastings Board of Directors review requirements	As needed

EXHIBIT B
APPROVED BUDGET 2016-17
Fiscal Year

Budget: July 1, 2016 - June 30, 2018

UCSF & UC Hastings Campus Housing

Function		2-Year Budget
A.	Real Estate Advisory Services	\$120,000
B.	Legal Services	\$100,000
C.	Program Management	\$100,000
D.	Planning for Design	\$50,000
E.	Peer Review Group	\$75,000
F.	Structural Engineer	<u>\$75,000</u>
	Sub Total	\$520,000
G.	Contingency / Other (15%)	<u>\$78,000</u>
	Total	\$598,000 ____
UCSF		\$299,000
UC Hastings		\$299,000

UC Hastings College of the Law
Long Range Campus Plan - 2016-2017 Budget

3-Jun-16

Function	Consultant/Vendor	Total Budget	State Plant Fund Reserve	Nonstate (Hastings-Digardi-Hall)	State Deferred Maintenance
A. Environmental Review (CEQA)					
1) Legal Services	Reuben Junius & Rose LLP	25,000	-	25,000	-
2) Environmental	TRC Solutions, Inc.	25,000	-	25,000	-
3) Miscellaneous		5,000	-	5,000	-
Subtotal - Environmental Review (CEQA)		55,000	-	55,000	-
B. 200 McAllister Street - Kane Hall					
1) Façade Access & Reroofing - Design	McGinnis Chenn	62,000	62,000	-	-
2) Programming and Roof Master Plan	MKThink	105,000	105,000	-	-
3) Project Management	TBD	75,000	75,000	-	-
4) Construction					
a. Façade Access (Anchorage)	Scaffold Insp. & Testing Co.	250,000	-	-	250,000
b. Emergency Generator Replacement	TBD	450,000	-	-	450,000
c. Structural - Skybridge	TBD	TBD	-	-	-
d. Reroofing and Waterproofing	TBD	1,042,000	-	-	1,042,000
e. 6th Floor Research Centers	TBD	TBD	-	-	-
Subtotal - 200 McAllister Street - Kane Hall		1,984,000	242,000	-	1,742,000
C. Outreach & Community Affairs	Bill Maher	20,000		20,000	
1) Events & Miscellaneous		3,000		3,000	
Subtotal - Outreach & Community Affairs		23,000	-	23,000	-
D. Fundraising - Collateral Materials					
1) Web and Collateral Promotional Material	Barbary Coast	30,000	-	30,000	-
2) Donor Recognition /Naming Plan	Propp+Guerrin	36,000	-	36,000	-
3) Miscellaneous		5,000	-	5,000	-
Subtotal - Fundraising - Collateral Materials		71,000	-	71,000	-
E. Greening & Sustainability	Kasey Asberry	35,000	35,000	-	
Subtotal - Greening & Sustainability		35,000	35,000	-	-
F. Student Housing Joint Venture					
1) Legal Services	TBD	-	-	-	-
2) Financial Advisor	Public Financial Mngt, Inc.	25,000	-	25,000	-
3) Miscellaneous		5,000	-	5,000	-
4) UC Hastings 50% Share of Joint Development Costs with UCSF*		299,000	-	299,000	-
Subtotal - Student Housing Joint Venture		329,000	-	329,000	-
Total UC Hastings Long Range Campus Plan 2016-2017 Budget		\$ 2,497,000	\$ 277,000	\$ 478,000	\$ 1,742,000

NOTE:

* Figure represents UC Hastings funding commitment for a two-year period coinciding with the term of the Predevelopment Agreement.

UC Hastings

3-Jun-16

Long Range Campus Plan

Budget: July 1, 2016 - June 30, 2018

UCSF & UC Hastings Campus Housing

Function		Two-Year Budget	
A.	Economic Consulting & Real Estate	\$ 120,000	
B.	Legal Services	\$ 100,000	
C.	Program Management	\$ 100,000	
D.	Planning for Design	\$ 50,000	
E.	Peer Review Group	\$ 75,000	
F.	Structural Engineer	\$ 75,000	
	Sub Total	\$ 520,000	
G.	Contingency / Other (15%)	\$ 78,000	
	Total	\$ 598,000	
	UCSF	\$ 299,000	50%
	UC Hastings	\$ 299,000	50%

ACTION ITEM

1. **REPORT BY:** David Seward
2. **SUBJECT:** Budget Pre-authorizations for 2016-17 (#2)
3. **RECOMMENDATION:**

That the Board of Directors authorizes the expenditure activities as described in this report, prior to the Board's adoption of the annual 2016-17 budget at its September 2016.

4. **BACKGROUND:**

The College's budget for 2016-17 will be presented to the Board of Directors at its September 2016 meeting. The projects and activities described below require the expenditure of funds prior to the September meeting to permit the timely attainment of project deliverables and processing of employee compensation adjustments.

12.1 Viewbook

An allocation of \$55,000 is requested to fund the development of a new Viewbook. This would be a state funded activity.

5. **PROPOSED RESOLUTION:**

Resolved, that the Board of Directors authorizes the expenditure activity as described in this report, prior to the Board's adoption of the 2016-17 budget.

ACTION ITEM

- 1. REPORT BY:** David Seward
- 2. SUBJECT:** State Contracts in Excess of \$50,000
- 3. RECOMMENDATIONS:**

That the Board of Directors authorize award of the 2016-17 state contract described in this report.

Item: 9.5.1
Title: Admissions Viewbook
Vendor Name: To Be Determined
Cost: ---
Term of Contract: One-time

Description:

Proposals are currently being solicited. A recommendation will be presented at the June 17th meeting of the Board of Directors.

4. PROPOSED RESOLUTION:

That the Board of Directors authorize award of the 2016-17 state contracts listed below:

REPORT ITEM

- 1. REPORT BY:** Acting Chancellor & Dean David L. Faigman
- 2. SUBJECT:** Report of the Chancellor & Dean
- 3. REPORT:** Oral

- 10.1 Report on Action Taken in Closed Session Regarding Gifts and Appointments (To Be Reported Out After Closed Session) (Oral)
- 10.2 Chancellor & Dean's Annual Report (Oral)
- 10.3 Update on Faculty Retreat, Bar Passage Programs and Academic Support (Oral)
- 10.4 Other Informational Items: Academic Programs, Student Services, External Relations and Personnel (Oral)

REPORT ITEM

1. REPORT BY: Acting Chancellor & Dean David L. Faigman

2. SUBJECT: Report of the Chancellor & Dean

3. REPORT: Oral

10.1 Report on Action Taken in Closed Session Regarding Gift
And Appointments (To Be Reported Out After Closed Session) (Oral)

REPORT ITEM

1. REPORT BY: Acting Chancellor & Dean David L. Faigman

2. SUBJECT: Report of the Chancellor & Dean

3. REPORT: Oral

10.2 Chancellor & Dean's Annual Report

(Oral)

REPORT ITEM

1. REPORT BY: Acting Chancellor & Dean David L. Faigman

2. SUBJECT: Report of the Chancellor & Dean

3. REPORT: Oral

10.3 Update on Faculty Retreat, Bar Passage Programs and Academic
Support

(Oral)

REPORT ITEM

1. REPORT BY: Acting Chancellor & Dean David L. Faigman

2. SUBJECT: Report of the Chancellor & Dean

3. REPORT: Oral

10.4 Other Informational Items: Academic Programs, Student Services,
External Relations and Personnel (Oral)

REPORT ITEM

1. REPORT BY: Director, Tom Gede, Chair

2. REPORT: Oral

- *11.1 Election of Officers (Oral)
 - *11.1.1 Chair (Oral)
 - *11.1.2 Vice Chair (Oral)
- 11.2 Report of the Chancellor & Dean Search Committee (Oral)
- *11.3 Executive Compensation (Oral)

REPORT ITEM

1. REPORT BY: Director, Tom Gede, Chair

2. REPORT

- | | |
|----------------------------|--------|
| *11.1 Election of Officers | (Oral) |
| *11.1.1 Chair | (Oral) |
| *11.1.2 Vice Chair | (Oral) |

BACKGROUND:

**University of California
Hastings College of the Law
BY-LAWS
BY-LAW 12
OFFICERS OF THE BOARD**

11.1. Officers of the Board.

- (a) The Officers of the Board shall be the Chair and Vice Chair.
- (b) Election: The Board shall elect the Chair and Vice Chair at the mid-year meeting of the Board for a term of one year. In the case of a mid-term vacancy, the Board shall elect a successor at the first meeting following the creation of the vacancy to serve out the term of the prior Chair or Vice Chair. No officer shall serve more than two (2) full consecutive terms.
- (c) Qualifications: Officers of the Board must be Directors.

REPORT ITEM

1. REPORT BY: Director, Tom Gede, Chair

2. REPORT

11.2 Report of the Chancellor & Dean Search Committee (Oral)

REPORT ITEM

1. REPORT BY: Director, Tom Gede, Chair

2. REPORT

*11.3 Executive Compensation

(Oral)

DIRECTOR COMMENTS AND BOARD ANNOUNCEMENTS

This is a time reserved for Directors who wish to briefly comment on Board matters, provide a reference to staff or other resources for factual information, or direct staff to place items on future agenda.

THE BOARD WILL GO INTO CLOSED SESSION AT APPROXIMATELY 11:00 A.M.

The Board will adjourn to the closed session to consider the items listed on the Closed Session Agenda. At the conclusion of the Closed Session, the Board will reconvene the Open Meeting prior to adjourning the meeting, to report on any actions taken in Closed Session for which a report is required by law.

OPEN BOARD OF DIRECTORS MEETING

ACTION ITEM:

***14. ADJOURNMENT**

The meeting was adjourned at ____:____